

## "You Let Us Down" White Judge Inferred

LONDON (ANP)—The arrogant supremacy which British people have always shown toward the darker races was more fully better exemplified than in the statement by an English judge in Old Bailey Court here last week as he sentenced a 24-year-old white thief for stealing diamonds from West Coast African mine. The judge said:

"You broke a great trust—the trust reposed in you as the only white man in a camp and in charge of a mine. Fifteen months' imprisonment was the sentence imposed on the thief, Donald H. Hunter, for having in his possession 1,224 uncut diamonds valued at approximately \$75,000.



Continued from Page 1  
May 2, 1940

## Sheriff's Force Capture Stills

### Deputies Arrest Four Men In Raid Near Rock Springs

Deputy Sheriffs Elliott, Reagan and Wallace yesterday raided and captured a 60-gallon moonshine distillery near Rock Springs and arrested four men on warrants charging them with manufacturing whiskey.

The officers said they surrounded the plant and captured four negroes just as they were finishing a "run."

The negroes were Will Johnson and his two sons, Charles and Joe, 13 and 17 years old respectively, and Jess Gamble.

The officers said they stood in a clump of bushes and saw the four negroes work about the still for some time. They waited until almost the last drop of fiery fluid had trickled through the worm into jugs before rushing them. The operators were taken by complete surprise and were unable to make a dash for freedom. None of them was armed and no attempt was made to escape.

The deputies found a small amount of freshly brewed white corn liquor and an oil drum still.

Deputies Allsup and McCreless destroyed a still near Sligo on Sand Mountain yesterday. The plant had a capacity of 300 gallons and was being prepared for operation. Two men at work around the plant ran off and could not be captured.

### White Boy Shot During "Racial Antagonism"

BIRMINGHAM, Ala.—(SNS)—A 17-year-old Parker High School student, Robert Lee Strickland, of 1605 North 18th Street, near, was charged with assault with intent to murder after the shooting of a white youth, Alexander Elliott, 19, of North Highland, Saturday night.

Strickland shot the youth through the right side after a reported outbreak of "racial antagonism" in which several white youths who gathered around a drug-store at 18th Street and 16th Avenue N., chased Negro boys with beer bottles causing several to take refuge in nearby colored homes.

### Negro Sent To Prison For Twentieth Time

A Negro whose record from F. B. I. headquarters in Washington showed 35 arrests and 19 previous convictions today was handed his twentieth sentence by Circuit Judge J. Q. Smith.

The Negro, Trusty Young, 42, was sentenced to seven years in prison when he pleaded guilty before Judge Smith to a charge of grand larceny in picking the pocket of another Negro of a purse containing \$8.

Assistant Solicitor Robert E. McAdory, Jr., read Young's record to Judge Smith before sentence was passed, showing arrests dating back as far as 1907.

### SEVEN SAW WAY FROM MACON JAIL

TUSKEGEE, Ala., June 19—(AP)—In a potential mass delivery seven Negro prisoners sawed from the Macon County Jail early today and swung from the second floor to freedom.

Only one had been recaptured tonight—and he returned shortly after the break, changing his mind about fleeing and deciding to notify the jailer.

Sixteen other prisoners declined to join the seven who tried to break through the sawed bars, although they were reported missing at first.

State officers, aided by bloodhounds, went here to join Macon authorities in their search. Most of those who fled had been held on larceny charges.

Deputy T. A. Riley said one of the prisoners reported a Negro slipped a hacksaw from a plumber who was called Monday to repair damaged pipes, but the plumber denied this.

# Accuse Georgia Whites Of Violence Acts In Alabama

BIRMINGHAM, Ala.—(SNS)—The strange case of several attempts to kidnap a 24-year old Georgia youth by a band of white Georgia hoodlums from his sister's home in Tittusville was told by residents here last week.

The youth, Robert Hardy, following a fight with one of the whites at his Georgia farm home two weeks ago sought refuge at the home of his sister, Mrs. Eula Lee Busby, 403 Avenue D, W.

Hardy escaped after his farm-boss attempted to whip him for using the farmer's car without permission. He left during the night of May 22 for Birmingham and safety.

On Friday May 24th, a Georgia car bearing four persons arrived in Birmingham and sought out the Busby home. It was stated by the leader of the armed band that the address had been secured from a Georgia relative who knew nothing of the trouble. Hardy had worked about three months for the Georgia farmer and stated that he was without funds to aid in his escape because he had not been paid. He worked for another farmer in that section said to be only a few miles from Atlanta about three years.

About three blocks from the Busby home the whites located the car driven by Hardy and witnesses state they fired four shots into the car in an effort to halt the driver. Hardy jumped from the car and escaped. Neighbors stated they phoned local police and that two cars arrived. Two of the men were placed in a police car.

A check-up of police records failed to reveal any arrest of Georgia persons although the leader of the band told a Tittusville mechanic late on the same day that "I had to pay for shooting my pistol in the city limits, but not for shooting at the Negro."

The four were together following the arrest and continued their

search for Hardy, riding up and down the streets of Tittusville neighbors state. The men were said to be around 30 years of age. They returned to the sister's home five times and just before leaving for Georgia asked for a chain to "tie up something." The men brandished two pistols, neither were taken by arresting police officers who left the men free to menace the neighborhood.

Hardy left the city Friday night, fearing a return of the men who has sworn to get him. Neighbors and relatives also feared that the wild shot would find their mark in innocent victims stating that the shooting took place near a grammar school just as several hundred children were turned loose in the streets.

Police officers did not seek arrest the man who fired the pistol nor did they prefer charges against them. Neighbors felt that it was a case of permitting me outside of the state to threaten lives without opposition of office, who were informed about the occurrence.

### Insurance Frauds Send Two To Jail

By Associated Press  
BIRMINGHAM, Ala., July 10.—Insurance frauds which brick-laden coffins were buried for the deceased were charged to two negroes here today by postal authorities.

Postal Inspector C. C. Gibbs said Clinton Porter and Sam McKinley were a fourth, Bobo, made no comment. The Negro could not be reached for a statement.

Gibbs said the insurance was collected through forged death certificates.

A \$2,000 policy was collected on Flenoy Wynn, although he is still alive, Gibbs reported. Policies for \$2,000 on William Lumpkin and pending investigation of the death of \$1,992.88 on James Ennis Strong were collected, the official continued, all-an accident in which the negro was struck by the car driven by Ezell

though authorities were unable to find any record of either person having lived in Birmingham.

Suspicion was aroused when Birmingham health department employees noted discrepancies in signature on death certificates.

Health authorities and postal inspectors opened a grave where one of the insured persons was "buried," Gibbs said, and found a coffin containing brick.

Both McKinley and Porter denied knowledge of fraud.

### One Indicted In Stamp Quiz Still Is Free

SEP 6 1940  
One of five Macon men indicted by a federal grand jury in Columbus Wednesday for food stamp racketeering was still at liberty last night. He was L. A. Tade, Monroe street wine shop operator.

Already under \$2,500 bonds were J. M. Simmons, wholesale and retail liquor dealer and proprietor of the Broadway Cash market, E. V. Kempf, proprietor of Dean's grocery on Broadway, Ralph Bobo, owner of Ralph Bobo's grocery on Third avenue in Pleasant Hill. A Negro, Israel Snow, was in jail.

The five are charged with paying persons on relief small sums to purchase \$15 in food stamps for \$10 then obtaining cash on the stamps which are intended only for use in purchasing surplus commodities.

Three of the accused men emphatically denied the charges and a fourth, Bobo, made no comment. The Negro could not be reached for a statement.

### Malcom Ezell Held In Death Of Negro

SEP 13 1940  
GENEVA, Ala., Sept. 12.—Malcom Ezell, who had been held in jail here with many other negroes, was released today by Sheriff F. F. Boswell. Ezell was charged with the death of a Negro, who was struck by the car driven by Ezell

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Birmingham, Ala. News  
July 10, 1940

## Two Negroes Arrested Here In Alleged Life Insurance Mail Fraud

Postal Inspector Claims  
One Of Men Collected By  
Forging Certificates

An alleged mail fraud through which nearly \$6,000 is said to have been collected on insurance policies written for Negroes was charged here today by Postal Inspector T. C. Gibbs.

Held under charges of using the mails to defraud are Clinton Porter, 46-year-old Negro and former mail carrier, of 712 Ash Street, and Sam McKinley, 55, Negro, of Bessemer. They were to be arraigned before U. S. Commissioner Louise O. Charleton this afternoon.

Gibbs said Porter is accused of having insured several Negroes, some of whom are believed not to exist and then collected the insurance through forged death certificates.

A policy of \$2,000 was collected on Flenoy Wynn, 217 Elder Avenue, Pratt City; \$1,992.88 on James Ennis Strong, and \$2,000 on William Lumpkin. Gibbs said Wynn is still alive and had no knowledge of a policy having been written on his life and collected. No trace of Strong or Lumpkin has been found and Gibbs said they are believed not to exist.

The insurance fraud was first suspected by W. P. Brodie and George P. Bell, of the Birmingham Health Department who, Gibbs said, noticed discrepancies in the signatures on a death certificate. The case was turned over to the postoffice inspectors and the arrest of Porter and McKinley came as a result of an investigation conducted by Gibbs, who was assisted by City Detectives Fred Cain and E. B. Lewis.

Gibbs said one Negro was insured for \$2,000, and the money collected by Porter, who was aided by the insured's wife who had been told not to ask questions. Gibbs said she received a small portion of the death claim which was deposited in a bank in her name.

In one instance the health authorities opened a grave in a county cemetery where the body of one of the insured was supposed to be buried and the grave was found to contain only a box of brick.

Porter, who was for 20 years a mail carrier in the Pratt City office, was said by Gibbs to have collected virtually all of the money. McKinley is said to have rented a postoffice box in Bessemer under the name of Thomas Martin, who was another Negro supposed to have been insured. The insurance company became suspicious, Gibbs said

and had McKinley arrested for questioning several weeks ago when he called for the mail. He was later released.

The policies were written by the Federal Postal Employees Association, a group insurance plan underwritten by the General American Life Insurance Company of St. Louis.

Porter and McKinley were arrested early last night and lodged in the City Jail on a holding charge, and Gibbs said federal warrants would be issued for them today. Both deny knowledge of the fraud.

## Police Charge Group With Series Of Thefts At Negro Convention Man Jailed In Ensley Burglaries; Bandits Fail In Filling Station Holdup

As city detectives worked unceasingly to clear up a series of daring burglaries in the Ensley district and operations of a Negro "pickpocket ring" at the Municipal Auditorium, an armed holdup was attempted last night at an East Thomas filling station and two purse snatchings along with numerous additional burglaries were reported to police.

Three bandits in an auto bearing a Georgia license tag drove up to the Stewart Service Station at Twenty-First Street and Arkadelphia Road shortly before midnight and ordered soft drinks and cakes while Robert Thompson, night manager, put \$3 worth of gasoline in their car, according to police reports.

After the gas tank had been filled, two of the men stepped out of the machine and one of them suddenly drew a pistol, forcing the filling station attendant into the mens' rest room, police said.

Before the bandits could loot the till, however, another auto drove into the station and the three bandits jumped into their auto and sped from the scene. Mr. Thompson fired several shots at the bandit car.

A Negro youth made an unsuccessful attempt last night to snatch the purse of Mrs. J. W. Ogletree, 308 Eleventh Street, Southwest, as she was walking with her daughter, Mrs. J. W. Black, in the 900 block of Cotton Avenue.

Officers Garrison and Moore early this morning recovered a pocketbook belonging to Anna C. Cole, Negro woman, of New York, after the purse had been snatched last night at Sixteenth Street and Fourth Avenue, North. The officers said the purse-snatched threw the pocketbook down when a number of Negroes began to chase him.

City Detectives Grover Gilliland and Henry Weir had a number of pocketbooks today, some of them containing money, which the officers said they recovered from a

group of Negroes placed in jail in connection with a series of pickpocket thefts at the auditorium during the National Negro Baptist Convention in session here.

A man identified as Carl Edward Marlow, 30, of 2105 Avenue I, Ensley, has admitted having committed so many burglaries in the Ensley he "couldn't remember them all," city detectives said today, as they worked to clear up some 15 burglaries in that section.

The detectives dubbed Marlow the "bicycle burglar" since they said he used a bicycle to transport him to and from the scenes of his alleged crimes. At time of his arrest, according to officers, Marlow had the bicycle basket filled with stolen articles.

A Negro identified on hospital records as Clemmie Ramsay, 28, of 1625 Third Avenue, South, was recovering today from a bullet wound in the hip inflicted at noon yesterday by Radio Patrol Officer Sam Roberts, who said the Negro had ignored his repeated commands to stop.

## Pickpockets Prey On Negro Baptists; Seven Are Jailed

City Detectives Weir and Gilliland said today they believed they had broken up a ring of Negro pickpockets who were preying upon the thousands of unsuspecting delegates to the national Negro Baptist convention here.

The two detectives arrested seven Negroes last night after receiving numerous complaints of thefts of wallets from the delegates, including the Rev. J. B. Spears, Negro pastor of Tulsa, Okla., who complained to police his pocketbook containing \$54 was stolen from his person at the auditorium.

The seven Negroes arrested were docketed at the Southside Jail as Luther Goree, 26; Wash Thomas, 22; George Phillips, 42; James Ragland, 35, all of Memphis; Thomas Dean, 39, of 1115 Seventh Avenue, North; Walter Johnson, 40, of 1515 Seventh Avenue, North, and Cooper Lee, 28, of 114 South Twenty-Fourth Street.

## Law-Abiding Negroes

A few days ago Negroes of Houston County presented to law-enforcement officials a petition calling for more severe punishment of Negroes. The petition deplored the tendency of courts and juries to be lenient toward Negroes accused of crimes of violence against members of their own race.

This position of the Houston County Negroes, while only in keeping with the attitude of the more progressive and enlightened Negroes, is highly to be commended and should receive the earnest consideration of Houston County officials. It might well serve also as a reminder to law-enforcement officials everywhere that both races are harmed when a lenient attitude is taken toward one.

It is a well-known fact that the crime rate among Negroes is greater than it is among whites. National figures for 1938 show that for each 100,000 of population, the rate of arrest among Negroes was 1,503.1, while among native-born whites it was only 570.9 and among foreign-born whites 209.2. That gives the Negro a crime rate nearly three times as great as the native-born white.

The proportion varies a great deal in the case of different crimes, however. More whites than Negroes, proportionately, are arrested in the case of some crimes, such as arson, counterfeiting, forgery and driving while intoxicated.

It is in the crimes of violence that the Negro becomes by far the worst offender. The rates for native whites and Negroes in some of these crimes are, respectively: Criminal homicide, 4.9 and 31.5; assault, 22 and 155; carrying concealed or illegal weapons, 4.4 and 31.6. These figures indicate that the Negro is about seven times as frequent a perpetrator of such crimes as is the white.

The government's crime reports do not break down the facts as to the victims of Negro homicides or assaults, but it is a matter of common knowledge that most of these crimes are against members of the Negro race. The Negro is apt to be a bit hot-headed and violent among his own people, although he would be law-abiding on the outside.

There is a tendency on the part of white juries in the South to accept these murders and assaults of Negroes within their own race as something which can be passed over rather casually since members of the white race are not immediately involved. But as the Negroes of Houston County well pointed out, this tendency is not only an injustice to the Negro people as a whole, but also is bound to react upon the whole question of

crime and race relations. One element of the population cannot be permitted to get the impression that intra-racial crimes are not serious in themselves.

## YOUTH JAILED IN SHOOTING PROBE

SELMA, Ala., Sept. 2—The shooting and attempted robbery of W. C. Ham, rolling store operator, last Saturday night near Autaugaville, was revealed by Sheriff Allen Stewart of Prattville, today, who reported that he had obtained a confession in the case from a Negro identified as Johnny Underwood, 17, a former convict.

Sheriff Stewart quoted Ham as saying that two Negroes stopped him near Autaugaville and purchased two soft drinks and that as he prepared to leave he was ambushed. Ham, who reported the attempt Sunday morning, suffered shotgun wounds in the arm and side.

When Sheriff Stewart visited the scene of the shooting in company with two highway patrolmen, he said he noticed a Negro observing the movements of the officers closely. The Negro fled when approached, the sheriff said, and bloodhounds from Kilby Prison were used to track him down.

After the Negro's arrest he confessed and implicated another Negro, Sheriff Stewart reported. Underwood was jailed on charges of assault with intent to murder.

## West End Matron Struck Down By Negro

A Negro who struck down Mrs. C. J. Brown, West End matron, as she stood on her porch last night at 712 Sixth Street, Southwest, was the object of an intensive police search today.

Mrs. Brown, according to a report by Officers Boatner and Hilton, told them her husband was at work and she had walked out on the partially lighted porch.

Without a word of warning a Negro came upon the porch and struck her a blow with his fist over the right eye knocking her to the floor, the victim told the investigating officers.

Shaken and nervous by the blow Mrs. Brown, the officers said, was unable to give an accurate description of the Negro other than that he was "tall and black."



## CRIME\_ 1940

### Arrest Of Negro Man Is Believed Solution To Purse Snatchings

A tenacious thorn in the side of police for the past few months—the Court, North, reported theft of purse snatching wave on the South-side—was at least partially cleared up Saturday when police announced the arrest of a Negro, Willie Perkins, 26, who confessed to snatching 15 purses in various sections of the area during the past few months.

However, the cases in which Perkins admitted participation were all Negro cases but police said before the day is out that they expect to tie several of the white cases to the Negro.

Perkins' arrest came about Saturday night under dramatic circumstances. He was captured by Dr. Clarke Gillespy, Southside physician, who happened to be passing Seventh Avenue and South Twenty-Sixth Street, directly after Perkins had snatched a Negro woman's purse a block away.

Dr. Gillespy said he ran the Negro up an alley with his automobile and commanded him to get in his car. The Negro, thinking Gillespy had a gun, got into the back seat and was held by four other Negroes who had participated in the chase.

The Negro was identified by several of the Negro victims in a lineup shortly after the arrest. A lineup for the white victims was to be held during the day, police said.

A reign of terror has stalked the Southside because of the purse snatchings. In some cases the bold bandits have been known to go onto their victim's front porches. For some time a corps of police have patrolled the heavily-populated area.

### Polite Negro Robber Holds Up Drug Store

C. L. Vance, operator of a drug store at 4034 Second Avenue, North, reported to police a bold but polite Negro bandit armed with a pistol, entered his place last night and, after extending a cheerful greeting, robbed the drug store of \$80 of which \$30 was in check.

Fred Vance, son of the drug store operator, was in the store when the Negro entered with a greeting, "Hello, boss. How 'ya getting along?" This was a stickup. Confronted with the pistol, the youth was forced to stand by and watch the Negro bandit rob the cash register.

The elder Vance, father of Fred, was seated outside in an auto with a friend when the Negro bandit entered. He told police he thought the

Negro was a customer and did not know there had been a robbery until the Negro ran out, followed by his son.

Dewey Nations, of 7201 Second Avenue, South, a courthouse employee, reported theft of his coat and hat from his office on the second floor of the courthouse at noon yesterday.

W. T. Springer, of 802 Fourteenth Court, North, reported theft of a South-clothing valued at \$54 by a burglar who entered his residence through a rear window.

### Condemned Negroes Lose Rehearing Plea

MONTGOMERY, Ala. — The Alabama Supreme Court has overruled rehearing applications of two Negroes scheduled to die in the Kilby Prison electric chair May 31. The men are Joe Vernon, convicted in Jefferson Circuit Court of slaying Bennie Montgomery, and William Clark, sentenced in Limestone on conviction of rape.

### HAMNER HALL BAD BOYS

Yesterday The Advertiser had to print the sad news that some 20 white boys in the Hamner Hall area were objects of interest to the police because of their brutal and wanton treatment of innocent Negro boys. They were throwing bricks at Negro boys, and in a few instances it appears that they fell upon defenseless black boys and beat them unmercifully with bricks. It does not appear that the Negro boys who suffered at the hands of these rowdies were at fault. It does not appear that they had attacked the whites. What is plain is that the black boys, not looking for trouble, were hopelessly outnumbered by their heroic conquerors. It appears that no great principle was at issue.

This is deplorable. We trust that the police and the Recorder's court will profit by this opportunity to make an example to all of our people. But especially do we hope that the parents of these white boys will take their sons in hand and teach them a lesson that they will never forget. There is an immemorial technique applicable in such cases which we trust the embarrassed parents will adopt.

In the first place it is brutal and cowardly to take advantage of the weak and innocent and to maul them cruelly. If opposing forces in this feud had been about evenly matched we have no doubt that there would have been no physical assaults. The white boys must have thought they were quite safe.

In the second place this country is not homogeneous. It is heterogeneous. Here many races, many other special groups believe themselves to be at peace. Here in the

## ALABAMA

South we have a black and white race living as neighbors, usually as friends. In Alabama about 35 per cent of our population is black. It is native. This population has its rights under the law and under the principles of common decency which fair and just white men must acknowledge.

Our country today stands in need of national unity. All of our people should be on the same side—the side of Uncle Sam. Our country today is endangered. We must have racial unity in America because we have natural racial problems. All of us must hang together or separately, if we may quote Benjamin Franklin once more.

It is revolting and disquieting to see gangs of white boys attacking innocent black boys and beating them with stones. Such conduct is intolerable in a civilized country.

But at last the responsibility falls upon the parents of these wayward, thoughtless white boys. Let their parents assume their patriotic obligations and discharge them freely and bravely. Montgomery is still a town of woodsheds and a sense of decency.

### BOND REFUSED IN PURSE SNATCHING

(From Yesterday's Final Edition)  
Judge H. B. Abernethy yesterday raised a charge against a Negro, held after a purse-snatching, from grand larceny to robbery and ordered him bound over without bond to await action of the Grand Jury.

The defendant was Eugene Thomas, 23, who was charged with taking the purse of Mrs. Babe Friedman, of Cincinnati, near Second Avenue and Sixteenth Street, North, last month. Mrs. Friedman, who was visiting relatives in Birmingham at the time, returned here to testify against the Negro at yesterday's preliminary hearing.

Judge Abernethy ordered Ruby Todd, Negro, 210 North Sixteenth Street, bound over to the Grand Jury on a charge of grand larceny. Testimony was offered to show that \$50 was found in the Negro woman's house after Thomas was reported seen throwing the purse into her yard.

## 'HITLER-LIKE' TACTICS OF ALABAMA SHERIFF FRUSTRATED BY JUDGE

### Mobile Official Had Held Farm Laborer in Jail for Six Weeks 'Merely on Suspicion.'

MOBILE, Ala., April 18.—Successful in his initial effort in a campaign launched here to do away with what he termed the "Hitler-like tactics" of Sheriff W. H. Holcombe, in holding Jesse Shinn, colored farm laborer, for six weeks in

the county jail on a charge of "vagrancy" which was actually one of "suspicion" and refusing to release him on bail—Curtis Moody, attorney for Shinn, obtained a Circuit order here Tuesday from Judge J. B. Thornton, directing that the farm worker be immediately released.

In the petition filed with the Circuit judge on behalf of his client, the attorney charged Sheriff Holcombe had repeatedly refused to grant Shinn any sort of bond, declining to give any explanation of his refusal. According to the best information he could obtain, he stated, the only "crime" Shinn was accused of was that he lived within half a mile of Edward Malone, white farmer of the Chunchula section of the county, who was mysteriously murdered last February; and that there was not the slightest evidence that would tend to even remotely connect the laborer with the homicide.

Reviewing these alleged facts when he appeared before Judge Thornton in support of his petition for Shinn's release, the lawyer inquired whether there was any law on the statute books permitting an officer to keep any person in jail as he wanted to "merely on suspicion." The jurist promptly replied, "No, there certainly is not, and this court now so rules." A few minutes later he had signed the order for Shinn's release.

It developed that Shinn had been arrested by county officers for questioning regarding the Malone murder, and though he could give no information that would throw any light on the crime, he had been charged with "vagrancy" and locked in a cell where he remained until the attorney, Moody,



Montgomery, Ala., Advertiser  
June 1, 1940

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## Gun Traps Negro In \$455 Larceny

Will Ruffin, 23-year-old negro, yesterday confessed to taking \$455 in cash and two checks and the revolver which led to his arrest Monday. Police disclosed as much.

Both the money and the pistol were said to have been taken from the parked automobile of J. C. Amon, 9 Highland Avenue, about six weeks ago. Monday, A. B. C. Agents Plant and Gregg halted Ruffin's Ford V-8 on Decatur Street to search it for a suspected liquor carrier. No untaxed whisky was discovered, but the search revealed a new Smith and Wesson revolver.

An examination of the weapon by the fingerprint department led to the conclusion that it was the same as that stolen from the Amon car along with the money. Both were in Amon's brief case.

Detective Sergts. Cobb and Frizzle, who worked up the case, got a confession from Ruffin yesterday. The negro admitted taking the money but declared he had torn up WPA checks amounting to \$300.

The cash reported missing after the theft was said to have been \$50 in five dollar bills, \$60 in one-dollar bills, and about \$40 in change.

Ruffin, charged with grand larceny, was being held without bond last night.

## This County Has An Adolph Hitler, Wanted In Court

Jefferson County has an Adolph Hitler, it developed yesterday, and he's to be in Judge H. B. Abernethy's court on Thursday, July 18.

Sheriff's Deputy A. A. Wood was seeking Hitler, a Negro, whose address was given as 3045 Thirty-Second Avenue, North, to serve him with a witness' subpoena in a case in which William Drayton, Negro, is charged with assaulting Clara Mae Brown, whose address was given as the same as Hitler's, with a rock.

Warrant Clerk J. G. Brooks said that when the Jordan woman appeared before him to swear out the warrant against Drayton, she told him that Adolph Hitler was the only name by which she knew the man she had listed as a witness.

After hearing the witness' name, Judge Abernethy said he will make every effort when the case is called to find out whether Hitler's name is genuine or just a nickname.

## AUBURN DOCTOR BOUND, ROBBED

Physician Is Fastened  
To Operating Table;

\$10 In Cash Taken

AUBURN, Ala., July 26 (P)—

Binding the physician to his own operating table, two Negroes robbed Dr. William Askew of \$10 today and demanded to know where he kept his store of morphine.

A Negro maid was locked in a closet and, after the doctor had told the robbers the narcotic was in a bag in his automobile, his mouth was plastered over with adhesive tape.

Making their way outside with persons on the street unsuspecting, the Negroes searched an automobile they believed to belong to the doctor and sped away in an automobile bearing a "dine and dance" sign. Dr. Askew learned later they had searched his father's car and had missed the satchel in his machine which contained all the morphine he possessed, four or five grains.

In LaGrange, Ga., later in the day, Police Chief J. E. Matthews said he had arrested two Negroes for questioning and turned them over to Lee County (Alabama) authorities.

Chief Matthews identified the two as Charles E. Gunn, a Montgomery taxi driver, and James Steele, of Atlanta, and said he took approximately \$9 and a package of narcotics from them. He quoted Gunn as saying Steele forced him at the point of a gun to drive him from Montgomery to Auburn and then to LaGrange.

The officer said Steele admitted robbing the physician and explained he had recently been released from Federal Penitentiary in Atlanta.

"I believe they came to my office primarily for morphine," Dr. Askew said. "The Negro flourish the gun, obviously a Northern Negro, looked like a dope addict."

The physician lay prone for about 10 minutes after the two had left his office, then freed himself, let his maid out of the closet and telephoned the sheriff at nearby Opelika.

Adhesive tape was used to bind the doctor to the table.

The Negro maid raised a commotion with the robbers, Dr. Askew said, rebelling at being locked in the closet. She relented, however, the physician related, when the man with the gun threatened to "knock her in the head."

## Colored Man Succumbs After Shooting Scrape

Charlie Williams, colored, of Lloyd's Station, succumbed at City Hospital Thursday afternoon to pistol wounds about the abdomen. Sheriff deputies said the victim was shot by Leo Jones, colored, of Lloyd's Station, Wednesday afternoon.

Jones surrendered at the county jail Thursday and was booked on a charge of assault to murder. Chief Deputy Fred O. Hudoff said last night the charge would be changed to murder when Jones is given a preliminary hearing in inferior court.

## Judge Orders Police To Catch White Man Behind Policy Racket

During the trial and conviction of two Negroes for operating a policy

slip pickup car, City Recorder Henry J. Martin told City Detectives Houston and Goldstein today to "go

out and bring in the top white man in this lottery racket even if it takes the whole police force to catch him."

The Negroes, Willie Hood, 21, of 815 Beta Street, and Wash Perry, 116 Sixth Avenue, Southwest, testified they were being paid \$10.50 and \$15 a week, respectively, by a "Mr. Jake" to drive a policy slip car and pick up the slips and money daily.

The Negroes further testified that they would meet the man they named as "Mr. Jake" at a service station at Eighth Street and Gable Square, where they would turn over the slips and the money to him.

"This Mr. Jake is flaunting the law in our faces," Judge Martin said to the officers, "and I want you to bring him before me so I can give him the limit of \$100 fine and six months in jail in each of about 10 cases in which he has been involved according to testimony of his small fry Negro hirelings that have been brought here in the last week or so." Following this the judge imposed a fine of \$100 and sentenced each Negro to six months in jail.

## Houston Negroes Complain Courts Are Too Lenient

DOTHAN, Ala., Sept. 3, 1940 (P)—Houston County Negroes today criticized leniency of juries toward members of their race, particularly in murder cases.

In petitions to courts circulated by the Workers Benevolent Association, approximately 50 Negroes said: "The only way to prevent crime among our people is to inflict punishment."

and Joe Williams, 214 Westfield. Hardy had suffered a laceration of the right arm, and Williams had received a deep chest stab.

Fairfield Officers E. E. Fulmer and Casper Weeks said they had arrested a Negro, Henry Bragg, who gave his address as 700 Eighth Avenue, North, Birmingham, in a drunken condition near the Fairfield Jail. The officers said that shortly after the Negro was placed in the jail he pulled a knife out of a shoe and stabbed two prisoners.

The officers said they had searched him, but had not looked in his shoe.

## JAIL INMATE STABS FELLOW PRISONERS

(From Yesterday's Final Edition)

Two Negro prisoners at Fairfield Jail were stabbed last night by a drunken Negro prisoner who had been placed in the jail cell about two minutes before.

The two victims were taken to Hillman Hospital for treatment. They were listed as Bob Hardy, of 23-A Thirty-Ninth Street, Fairfield,

## Houston Negroes Urge Severe Legal Penalties

DOTHAN, Ala. —(P)—Petitions bearing the names of approximately 50 Negroes, deploring leniency of juries in Houston County to convicted members of their race, especially in murder cases, were ready today for presentation to the four Houston courts.

Circulators of the petitions, sponsored by the Workers Benevolent Association, quoted from the documents as follows: "During the past several years a large number of murders have been committed in this county by our people and as a regular proposition the perpetrators of these crimes have suffered, in our opinion, too little punishment, and as a result thereof crime is increasing."

"The law enforcement officers and the officers of the courts have faithfully discharged their duties, and this is not a criticism of any one, but we respectfully submit that the only way to prevent crime among our people is to inflict punishment so severe that it will deter others who are inclined to take the law in their own hands. We realize the white citizens of this county are the only ones who can give us relief, and we plead with you to do so."



## Three Negroes Given Heaviest Penalties In Traffic Casualty

NOV 1 1940

Invoking Section No. 3196 of the State Criminal Code which has been used only once before in his 20 years as City Recorder, Judge Henry Martin Thursday afternoon gave the maximum penalty to three Negroes convicted of reckless driving and leaving an accident and driving the same car.

The trio was fined \$100 and costs and sentenced to six months in jail each.

Each accused the other of being the driver at the time of the accident last Saturday night on Third Avenue, North, when their automobile struck two other machines, seriously injuring Mrs. R. L. Thomas, Route 2.

One of the defendants, Willie Canada, is a county prisoner and was a trusty at the Bessemer Jail. He had been allowed to come to Birmingham to visit relatives, having served eight months of his County Jail term.

The other two defendants were Richard Williams, 1009 North Twenty-Fourth Street, owner of the automobile involved, and Nathaniel "Pie Joe" Lee, 21, 961 Twenty-Fourth Place, North.

After hearing each of the Negroes accuse the other of being the hit-and-run driver, Judge Martin declared the state law of accomplices and accessories provided to meet just such situations. The judge said the evidence was positive that one of the Negroes was the actual driver and the other two were attempting to confuse the court and conceal the truth.

## Negro Shot With Rifle, Police Arrest Another

NOV 1 1940

Julius Foster, 25, Negro, of 306 South Seventeenth Street, was wounded in the left arm with a rifle bullet as he emerged from a downtown drug store Thursday night. He was taken to Hillman Hospital.

Officers Patterson and Patullo later arrested Andrew Surrels, Negro, of 1609 Twenty-Third Avenue, North, and placed him in Southside Jail on a charge of assault with intent to murder.

The officers said their investigation showed that following a quarrel between the two Negroes, Surrels had gone home and gotten a .22 caliber rifle and returned to a drug store at Eighteenth Street and Fourth Avenue, North, where he

"spotted" Foster. As Foster emerged from the store, the officers said, Surrels, hidden behind an auto, shot his victim in the arm. Surrels then left the scene and was later arrested while driving an auto in Woodlawn, according to the officers.

## Two Negroes Charged With Ringing Fatal False Fire Alarm

Pair Confesses, Police Report; Funeral Rites Scheduled For Pearson

NOV 2 1940

Two Negroes, who, police say, have confessed, were in jail Saturday charged with turning in a false fire alarm in connection with the death of Fireman J. T. Pearson, killed Halloween night while making a run to answer a false alarm.

The Negroes, arrested about 3 a.m. Saturday, were docketed as R. Veal Benning, 19, of 106 Fayette Street, and John Henry Farmer, of 118 Third Street, Pratt City.

City and county authorities said the only charge which can be brought against the pair is under the city code which provides a jail sentence of six months or a fine of \$100, or both, for falsely turning in a fire alarm. No charges can be brought, they said, for the death of the fireman.

Fireman Pearson, standing on the rear step of the fire truck en route to an alarm he had reason to believe was false, was hurled to the pavement when the Deisel locomotive struck the rear end of the fire truck at the Birmingham-Southern Railroad crossing on First Street in Pratt City.

The false alarm, one of five turned in from Box No. 918 in Pratt City Halloween night, and one of the 21 false alarms turned in that night throughout the city, is the second in recent years to cause the death of an innocent victim. In 1925 a woman was killed in Ensley when her automobile was struck by a fire truck speeding to an alarm which proved to be false.

The funeral services for Fireman Pearson Sunday will be attended by all firemen off duty at the time. The Rev. Ashley Chappell, pastor of the church, assisted by the Rev. John Nolan, pastor of Pratt City Presbyterian Church, will officiate. Burial will be in Elmwood Cemetery, Angwin directing.

## One Fatally Stabbed And Another Seriously Wounded In Two Fights Here

NOV 12 1940

One Negro was fatally stabbed and another seriously wounded in separate altercations Monday night in vicinity of the Negro Masonic Temple, Seventeenth Street and W. Adams, 48-year-old Madison County Fourth Avenue, North, where aty farmer, must serve a 15-year sentence for second degree murder.

James Mitchell, 19, Negro, of Adams was convicted in December, 1939, of shooting Will McMinn. He within two minutes after being admitted to Hillman Hospital with a stab wound over the heart.

Investigating Officers H. C. McNeill, Henry Darnell and H. C. Propst arrested Lindsay Posey, of 4713 Powell Alley, on a murder charge in connection with the fatal stabbing of Mitchell.

The investigating officers said following the stabbing affray, Posey got on a street car followed by a half dozen other Negroes, who pulled him from the street car and held him for police.

When the officers arrived, they said, they found Posey had fainted from fright. He was brought to Police Headquarters, where nearly an hour was required to revive him. He was then sent to Hillman Hospital for treatment. He told the officers he was "afraid the Negroes who caught me would hurt me."

Robert Jones, 1408 Sixth Avenue, South, suffered stab wounds in the back in an altercation at Seventh Street and Fourth Avenue, North. He was admitted to Hillman Hospital.

## Trucker Wins Appeal From Fine In Selma

NOV 8 1940

The State Court of Appeals has reversed a conviction in the Dallas County Circuit Court of a negro truck driver for failure to buy a furniture store license in Selma.

In December, 1938, Fred Russell, driver employed by the Frank Tennille Furniture Company in Montgomery, delivered a mahogany bed and springs to S. W. Ricks in Selma. City authorities took the view that the driver was the agent of a foreign company doing business in Selma, was therefore due to buy a license.

The circuit court sentenced the negro to 10 days in jail in lieu of the \$5 fine and an additional 25 days for \$14.10 in court costs.

The conviction was appealed, defense counsel maintaining that the negro, unable to make any transaction binding on the Montgomery firm, was not subject to the tax ordinance.

A majority of the court upheld this brief and reversed the case. Judge James Rice dissented, maintaining that the firm advertised free delivery

and such must certainly have been an inducement to Biggs in purchasing the merchandise.

The court also decided that Alton W. Adams, 48-year-old Madison County farmer, must serve a 15-year sentence for second degree murder.

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sion which the State contended he signed at Kilby will not be permitted at the second trial.

Several other prisoners were sentenced to the penitentiary Friday morning. Most of those were put on probation with a promise not to become involved in violations of the law in the future.

Sentences were imposed on the following: James Lee, grand larceny, two years; Gilmer Baggett, assault to ravish, six years; Mix Sankey, grand larceny, two years; and Willie Sankey, manufacturing liquor, 13 months. Others sentenced but granted probation were Sammie Robinson, grand larceny; Boisie Asbury, alias, assault to murder; Leon Broadnax, grand larceny; Will Tom Green, grand larceny; Will Howard, Alexander Lockley, and Willie W. Lockley, manufacturing liquor; Berry McCall, assault to murder; John Timmons, assault to murder; and Amos Williams, manufacturing liquor.

Mobile, Ala., Register  
November 8, 1940

## Dave Canty Up For New Trial

NOV 16 1940

Death Sentence Avoided By Decision Of U. S. Supreme Court

Dave Canty, negro, whose life was spared by the U. S. Supreme Court several months ago, was back in the circuit courtroom yesterday morning for the first time since he was condemned to death there by a jury in the Spring of 1938 for the murder of Miss Eunice Ward, county health nurse. Dave, looking refreshed and wearing better clothes than at his first trial, was arraigned Friday along with a score of others before Judge Eugene W. Carter.

His lusty "not guilty" reply to the indictment as read by the solicitor was louder than any of the other defendants. Trial of capital cases was set to begin on Monday, Nov. 25.

Court officials said the docket would probably last two weeks for the longest session of murder cases in many years. Canty has been held in the county jail since his new trial was ordered by the U. S. Supreme Court. The Alabama Supreme Court had affirmed the sentence of the Circuit Court. Prior to action in the case in Washington, he was in Kilby Prison. Under the ruling of the highest tribunal of the country, Canty's alleged confes-

## More Arrests Made On Lottery Charge

Three colored persons were arrested by sheriff's deputies yesterday afternoon and booked at the county jail on charges of conspiracy to set up a lottery. The trio were listed as Milton Kincy, 42, 706 State Street; J. E. Lawson, Jr., 27, 359 North Scott Street, and Alma Lawson, 22, 1057 Davis Avenue. All were ordered held under \$500 bond each.

Deputies Frank Pryor and Lankford McManus were listed as the arresting officers. Neither was available last night to learn details of the arrest. The same officers arrested another colored person, Samuel Butler, 45, 1104 Adams Street, Wednesday on a similar charge.



# NEGROES SENTENCED IN FALSE ALARM CHARGES

NOV 15 1940

Holding that the turning in of a false fire alarm is no mere prank but a "vicious and malicious act that called for the most severe penalty," Ensley City Recorder Oliver Hall convicted two Negro youths on such charge Thursday and sentenced each to six months in jail plus a fine of \$100 and costs.

The Negro youths, R. V. Benning, alias R. V. Megginson, 19, and John Henry Garner, Jr., 17, both of Frenchtown, near Ensley, were arrested on a charge of turning in a false fire alarm in Pratt City on Halloween. J. T. Pearson, city fireman, of the Pratt City station, was killed when the fire truck was involved in a collision with a railroad engine while answering a false fire alarm.

The father of one of the defendants, John Henry Garner, Sr., was held in contempt of court by Judge Hall and fined \$10 and costs and sentenced to 24 hours in jail after the elder Garner had introduced a family Bible record in an effort to show his son was less than 16 years of age. A birth certificate was introduced by Ralph Parker, assistant city attorney, who handled prosecution of the cases to show the younger Garner was 17.

Attorneys for the defendants, H. M. Powell and Cliff Edmond, had entered pleas of not guilty for their clients. Neither of the two defendants took the stand in his own behalf.

Direct testimony was offered by two Negro boys, Charles Jasper, 13, and John Jones, 14, that on Halloween night they had seen the two defendants near the fire alarm box when the alarm buzzer had sounded and that immediately afterward the two defendants ran from the scene.

Considerable cross examination of the arresting officers and other city witnesses by the two defense attorneys was devoted to questions as to whether the two Negro youths had been threatened or abused at Ensley Police Headquarters by the officers following their arrest. The officers and other witnesses testified no promises or threats had been made to the defendants.

"The duties of a fireman are hazardous enough in their regular routine of saving lives and property without being subjected to additional dangers of risking life and limb by answering false alarms," Judge Hall said in convicting the defendants. "The age of these defendants indicated to me they have sufficient judgment to know right from wrong and the fact that they ran from the scene after the alarm was turned in also indicates, by the evidence offered, they knew they had done something wrong."

When the father of the Garner youth submitted the family Bible record of his son's birth and told the court he had made the entries in the Bible, the judge had the father submit a sample of his handwriting. The contempt of court sentence followed a comparison by the judge of the birth entry in the family Bible and the father's handwriting submitted in court.

## Negro Youths Convicted; Will Appeal

NOV 21 1940

Two Negro youths, R. Veal Benning and John Henry Garner, were convicted in Ensley police court last Thursday of turning in false fire alarms Halloween night on the basis of "confessions" which the youths charge were obtained by third degree. The Civil Rights Committee of the Southern Conference for Human Welfare, which is assisting with the defense, announced both cases would be appealed to circuit court.

Ensley Recorder Oliver Hall gave both defendants the maximum penalty: \$100 and 180 days.

The prosecution relied on the testimony of police officers who stated that they had questioned Benning and Garner and they had admitted turning in the false alarms. The Civil Rights Committee stated that the evidence of third degree would be saved until the circuit court trial to guard against possible attempts to intimidate defense witnesses.

### JAIL WITNESS

The only witness presented by the defense was jailed for "contempt" before he could regain his seat. The witness was John Garner, father of one of the defendants, who was called in support of a motion to transfer the Garner case to juvenile court. Garner testified that his son was 15 years old and introduced a birth record in a family Bible to prove it. Recorder Hall stated that he did not believe Garner's testimony, that he believed the Bible record to be a forgery, and sentenced Garner to 24 hours in jail plus a ten dollar fine for "contempt of court."

"I never before, in my existence, heard of citing a witness for 'contempt' because the judge does not believe his testimony," stated Joseph S. Gelders, Secretary of the

Civil Rights Committee. "Such a procedure is equivalent to sentencing a man for perjury without a trial. It endangers the fundamental right of any person accused of crime to call witnesses in his own defense. It tends to make witnesses afraid to tell the court the truth in any case where they have reason to believe that the truth may hurt."

Mobile, Ala., Register

November 1, 1940

## Arrest Wrong Man For Murder Here, Then Release Him

A colored man who had been held more than six weeks in the Mobile County jail on a first-degree murder charge Thursday was freed by Circuit Judge David H. Edington when it was found officers had jailed the wrong man.

The officials were half-way right, however. The man booked by mistake had the same name, and nickname, too, as the one they wanted.

Names of both parties is Jake (Red) Williams. As it was explained to Judge Edington yesterday, a county grand jury in 1935 indicted a "Jake (Red) Williams," colored, in the slaying of one Mose Ladd, also colored. The true bill stayed in the files through the years while officers sought vainly for the indicted man, and then, on last September 17, a Jake (Red) Williams, answering the description of the wanted man, was booked at the county jail under the indictment.

Williams was without funds, and the court appointed George Tonsmeire as his attorney. The man protested his innocence to Tonsmeire, who investigating, established that the Red Williams held was working in Tuskegee at the time of the 1935 killing.

Thursday's release was the result.

## Conditions In Gadsden Attacked By Judge In Sentencing Negro

Government Will Step In If Cities, Counties Are Lax, Murphree Says

DEC 1 1940

When counties and cities are lax in their enforcement of liquor laws, the federal government will redouble its efforts to stamp out this illicit traffic, U. S. District Judge T. A. Murphree reiterated at Gadsden last week in revoking the five-year probation of Jess Waller, Negro

Tuscaloosa, Ala., News

November 18, 1940

## Cops Grab Negro At University

### Fugitive Leaps Out Third Story Window In Effort To Escape

Although he jumped out of a third story window of a sorority house on Colonial Drive, at the University, Willie Duncan, a negro, couldn't break through the net the police laid for him about noon Sunday. He was held at the city jail today and was apparently none the worse because of his jump.

Wanted by police on several charges including burglary and grand larceny, the negro got off a freight train and made his way to the house where his mother, Annie Duncan, was employed as a cook.

The police received word that he was in the house and surrounded the place. Policeman A. F. Robinson went inside and chased Duncan to the third floor.

When he landed on the ground outside after the leap through the window, Duncan was grabbed by Policeman W. C. Tompkins, Jr. but got away after kicking the officer in the face. Other officers closed in on the negro.

Duncan's mother was also arrested on a charge of interfering with an officer while in the discharge of his duties. Policemen who made the investigation were Robinson, Tompkins, Chism and Darnell, cafe operator, whose place the court described as the "worst hell hole in Alabama."

His pronouncement was even stronger than when he criticized the sheriff and law enforcement officers of Cleburne County during a session of the court at Birmingham several months ago, and later placed several liquor offenders from that community on probation only on condition that they move out of the county and stay out.

The Gadsden Negro was sentenced by Judge Murphree to serve eight years in a federal penitentiary after it had been shown he had resumed the sale of illicit liquor almost immediately after he had been placed on probation, that he maintained a notorious gambling establishment in the basement of his cafe and that he had bought stolen property from known thieves.

Testimony further showed Gads-

den police had arrested 15 gamblers in Waller's place and the cases were never prosecuted, that young white girls had been seen buying drinks in Waller's place and that the Etowah County sheriff had tried and failed to close the establishment by injunction until a recent Grand Jury secured such action.

"What is wrong in Gadsden?" Judge Murphree said in sentencing Waller. "I don't know, but I think I do. There has been evidence produced here to show that there is something rotten here. If the Gadsden city government doesn't enforce the law, the United States government will see what it can do. Things as they exist now cannot go on much longer. You will have serious trouble if they do continue."

"There are many good people in Gadsden, which is a thriving and prosperous city. There is something radically wrong, though, for the evidence in this case shows that this man operates one of the worst hell holes in Alabama."

Judge Murphree's indictment of conditions in Gadsden came a few days before the convening of the next federal Grand Jury in Birmingham Monday, when a large docket of liquor tax law violations in the 31 counties of the Northern District will be presented by U. S. Atty. Jim C. Smith.

A total of 25 of the counties in the district are dry and six are wet. Nearly all of the dry, hill counties are heavy offenders in liquor cases, as they manufacture large quantities of moonshine whisky for sale in the industrial area of Birmingham and Gadsden.

As the accumulation of liquor cases increases on the court calendar, Judge Murphree several months ago began meting out heavy penalties to old offenders.

## Streetcar Attack Is Laid To Negro

Henry High, 22, Negro, 404 Fifty-Second Street, was being held in the Bessemer County Jail Tuesday on a robbery charge in connection with the armed robbery of T. J. Jones, street car motorman, on the night of Nov. 26 in which the motorman was shot in the right leg.

The Negro was arrested by Birmingham Detectives J. R. Phillips and E. H. Brown last Friday and turned over to Fairfield police. The Negro was later fingerprinted and Monday was questioned by Arthur Green, county solicitor in the Bessemer office. The detectives said they would continue to cooperate with Fairfield officers to obtain the "strongest possible case."

Mr. Jones was discharged Saturday from St. Vincent's Hospital after recovering from the bullet wound suffered during the holdup at the end of the Ensley-Fairfield line.

The victim told officers the bandit approached him and after firing a shot demanded his money, about \$10. It was not until the motorman had started back to town that he discovered he had been wounded.



Dothan, Ala. Eagle  
September 11, 1940

## Tolerance vs. Justice

It was a fine thing Dothan's representative Negroes did the other day in petitioning Houston County courts to be more severe on members of their own race in handing out punishment when Negroes go astray of the law.

Recently Negroes convicted of various offenses, and especially murder, have been insufficiently punished in the opinion of the Negro petitioners, who view the lack of severity as encouraging Negroes to further violate the law.

A more severe view of jurors and courts in handing out penalties, the petitioners believe, will tend to discourage crime among Negroes.

The taking of life among Negroes cannot be viewed as a cheaper offense than among the white race, if true justice is to prevail in an impartial manner regardless of color. To attain this idealistic objective it is encouraging to see the initiative coming from Negroes, themselves.

White jurors, trying Negroes, are inclined to be over-tolerant when the offenses committed concern only Negroes.

But the law was made for black and white alike and the scales of justice should balance for one as well as the other.

Because punishment is designed to deter further offenses against society, Negroes are deserving of protection from outlaws of their own race as well as white citizens.

Jurors, accordingly, should lend an attentive ear to the request of those Negroes who realize that some members of their own race are receiving what amounts to only a pat on the wrist when they transgress the law, which is the Negro's protection as well as the white man's.

We, for one, are glad to see these Negro citizens speak out.

It bespeaks better harmony for both races at a time when harmony between the races is essential if this nation is to enjoy the privileges and protection of a democracy which still exists.

## Houston Negroes Urge Severe Legal Penalties

DOTHAN, Ala. —(P)—Petitions bearing the names of approximately 50 Negroes, deploring leniency of juries in Houston County to convicted members of their race, especially in murder cases, were ready today for presentation to the four Houston courts.

Circulators of the petitions, sponsored by the Workers Benevolent Association, quoted from the documents as follows:

"During the past several years a large number of murders have been committed in this county by our people and as a regular proposition the perpetrators of these crimes have suffered, in our opinion, too little punishment, and as a result thereof crime is increasing.

"The law enforcement officers and the officers of the courts have faithfully discharged their duties, and this is not a criticism of any one, but we respectfully submit that the only way to prevent crime among our people is to inflict punishment so severe that it will deter others who are inclined to take the law in their own hands. We realize the white citizens of this county are the only ones who can give us relief, and we plead with you to do so."

## Brutal Coffee Murder Solved By Confession

## Negro Rushed Here For Safekeeping By Coffee Officials

Full details of one of Alabama's most savage murders, that of Mrs. Euna M. Peacock, 33, found mutilated in a pond near New Brockton Saturday, were learned yesterday, officers said, when a 60-year-old negro, near neighbor to the Peacock residence, confessed to the crime.

The negro was listed as Bud Phelps Herring, lodged in the Elba jail since Sunday when he was committed there on suspicion.

Herring, who gave a full confession yesterday first to Sheriff J. D. Stewart and Circuit Solicitor J. Alex Huey, was brought for safekeeping to Kilby Prison where he repeated his story.

According to Solicitor Huey, the negro said he was drawing water at a well a quarter of a mile from the pond where Mrs. Peacock's body was found, when he saw her pass with her three children on the way to a wood.

He said he overheard her tell one of the children that they were going down to get some broom brush.

Herring related that he took the water he had drawn by his own house and then, following a round-about path, stalked Mrs. Peacock into the woods. He followed a fence-row, he said, to keep out of sight.

He thought he would get to the vicinity of dammed-up Horse-Branch Creek about the same time as Mrs. Peacock, the negro declared, but as he stepped into the clearing and engaged the matron in conversation, he said, he noticed that the children were gone, presumably to take some brush back to the house.

Herring's house was just across the road from the Peacock dwelling. Both were about half a mile from the pond.

The negro said he had two scuffles with Mrs. Peacock, one before, one after the assault. In the last, he said, the white woman in an effort to free herself from his grasp, broke her neck.

When this happened, Herring said, he "turned her alosee," and she fell on the ground and lay still. Prantic, he declared, and fearing being discovered with the dead body, he picked it up and threw it in the nearby creek.

He declared he was in hopes that when the body was discovered, a verdict of suicide would be declared.

Solicitor Huey said the negro did not explain the way in which Mrs. Peacock's body was horribly mangled. Herring admitted the assault, but denied that he had had a part in mutilating the body.

After the confession the negro was brought to Kilby immediately for safekeeping.

The solicitor said if it had not been for certain marks on the body, a verdict of suicide might possibly have been reached.

## Two Get Six-Month Term In Prison On Car

Two Negroes, John Robinson and Leo Briggs, of 1207 Avenue K, Ensley, were convicted of disorderly conduct in Ensley Police Court Monday, fined \$100 and costs each and sentenced to six months in jail.

Testimony in the case showed one of the Negroes had sat in the white section of a street car and when asked to move had refused to do so. An altercation between the Negroes and the white man, identified as Walter Sibley, of 2303 Avenue F, Ensley, followed and all three were arrested by Officers Golden and Jones. Sibley was acquitted.

The judge held that the Negroes had instigated the trouble in disobeying the city's Jim Crow law.

## Three Negroes Fined In Policy Cases

A new policy slip house known as "The New York" in operation

## Armed Robbery Laid To White Man, Negro

Warrants charging armed robbery were to be obtained today by Ensley Detectives Woody Sandefer and Walter Smith for a white man and Negro, who the detectives charge, forced James Cagle, 24, Ensley resident, to accompany them on a ride over the mountain where Cagle was put out of his auto, which the bandits drove off and later wrecked.

Detectives said investigation showed Cagle, an employee of the Barrett Company, was placing his auto in his garage in the rear of his residence, when a Negro, armed with a pistol, accompanied by a white man, approached him and forced him into the auto.

Ten miles out on the Montgomery Highway, the detectives said, the two released Cagle without molesting him or attempting to take the \$15 he had on his person.

A short time later the Ensley detectives, working with Capt. Tom English, Police Sergeant Ben Walkers, the State Highway Patrol and sheriffs of adjoining counties, took W. A. Fayet, 43, of 1910 Twenty-Third Avenue, Ensley, into custody. Monday the detectives arrested a Negro, James Melton, 23, of 2862 Twenty-Eighth Avenue, North. Both were charged with robbery.

The detectives said Fayet, a structural iron worker, and the Negro admitted holding up Cagle and taking his auto and wrecking it. Fayet, the detectives said, told them he was "drinking at the time and did not realize what he was doing." The Negro was quoted as saying Fayet approached him in Ensley and asked him if he wanted to "make some easy money."

According to testimony in Police Court here this afternoon, suffered a setback with conviction of three Negroes identified in court as employees, who were fined \$100 and six months in jail each.

City Detectives Goldstein and Houston, who arrested the trio, testified they seized a dream book and numerous policy slip tickets from the Negroes on the Southside Wednesday. City Recorder Martin lectured the Negroes severely before sentencing them to jail and termed the policy slip business a "thieving racket."

The Negroes convicted were Essie Mae Sharpe, 35, of 2707 Third Avenue, South; Charlie Taylor, 52, of 2920 Sixth Avenue, South, and Robert London, 56, of 709 Third Avenue, South.

Each of the three Negro defendants had winning policy slip tickets of current dates in their possession at the time of their arrest, according to the testimony of the officers.

## Negro Taken To Kilby Charged With Slaying Of Coffee Farm Wife

Solicitor Huey's Man Has Admitted Throwing Mother, 33, Into Pond

MONTGOMERY, Ala. — Charged with criminal assault and murder, a 60-year-old Negro was being held in Kilby Prison for safekeeping Wednesday after Coffee County Solicitor J. A. Huey, of Enterprise, quoted a confession that the Negro beat Mrs. Euna M. Peacock and left her to drown in a pond.

The body of the 33-year-old mother of three children was found Sunday night in the pond near New Brockton, her neck broken and her face bruised.

Huey said the Negro, Bud Phelps Herring, had admitted slaving the woman but denied criminally attacking her. He was brought to Kilby from the Elba jail late Tuesday, where he had been held since Sunday.

According to the solicitor, the six-foot Negro claimed Mrs. Peacock was injured when they scuffled and that she fell to the ground in such a manner that her neck was broken and her face bruised.

He later threw her in the pond, the official quoted, in an attempt to make her death appear suicide.

Sheriff J. B. Stewart reported the woman was assaulted and State Toxicologist H. W. Nixon said she died by drowning.

According to the investigating officers, Mrs. Peacock had gone with her three children to gather broom straw Saturday morning. She left the children on an abandoned road and when she did not return, they summoned their grandfather, Jim Moore, who, with a group of neighbors, found the body after a search.

## PURSE SNATCHING REPORTED

(From Yesterday's Final Edition)

A Northside woman was assaulted and robbed of her purse containing about \$10 Saturday night by a Negro police reported. Miss Hazel McInerney, 2817 Twelfth Avenue, North, reported she was walking along Twelfth Avenue between Twenty-Eighth and Twenty-Ninth Streets, when a Negro about 5 feet eight inches tall, accosted her and grabbed at her purse. She said she held on to her purse and a struggle ensued, during which she was thrown to the ground. Her screams frightened the Negro away, police reported.



# Crime Wave Sweeps State In Week-End Of Violence

OCT 7 1940

## Criminal Attacks, Drowning, Fatal Beating Among Tragedies Reported In Alabama

By The Associated Press

A shocking wave of crime, including two savage rapes, an attempted criminal assault, and seven killings, swept over Alabama Saturday and Sunday.

Birmingham was violently shaken by the criminal assault, mutilation and slaying of a 10-year-old schoolgirl. At New Brockton, in South Alabama, public indignation was incited by the rape-murder of a 33-year-old rural matron.

The week-end, probably without precedent for such a wave of widely-separated assaults and killings, saw two men felled by pistol shots in Montgomery County, and a Bessemer merchant was beaten to death in his store.

Little Patricia Marie Ratliffe, her body badly mutilated, was found Sunday in her bed in a Birmingham rooming house by Mrs. Flora E. Ratliffe, her widowed mother. The child had been dead 10 to 12 hours when the body was discovered. Coroner Gip M. Evans returned a verdict of criminal attack and murder.

The beaten body of Mrs. Euna M. Peacock was found in a pond near New Brockton late Saturday, and Sheriff J. D. Stewart said the young woman had been criminally attacked before she was thrown into the water.

Exhaustive investigations were being made both in Birmingham and New Brockton.

At Fairhope, across the bay from Mobile, a posse of police officers and citizens was combing the area Monday in search for a Negro who allegedly seized and attempted to assault a white girl near her home there Sunday night.

Charles C. Sealey, 58, was held in jail at Montgomery without bond after Sheriff G. A. Mosley said he admitted killing two farmers Sunday. The sheriff said Sealey appeared at the jail Sunday and told about shooting Dolphus McDowell and Will Garner, both in their fifties, as they sat in a car at Grady, 25 miles south of Montgomery. The shooting followed a disagreement that grew out of a \$26 debt McDowell allegedly owed Sealey, Mosley said.

At Bessemer, Walter Hodges, 60, was killed in his store Sunday by an assailant who used the victim's unloaded shotgun as a club. Coroner T. J. McCollum said robbery apparently was the motive. Cash drawers had been emptied.

## Three Indicted On Charges of Murder by Jury

OCT 2 1940

## 67-Year-Old Woman Is Freed; Four Accused of Robbery.

Three Negro men were indicted on murder charges yesterday by the grand jury, while a 67-year-old Negro woman was freed on a charge of killing another Negro woman with a pistol.

Indicted were James Williams, accused of participating in the holdup slaying of T. W. Adcock, West End grocer, on January 7, 1938; Leroy Kimball, accused of shooting Booker Smith to death September 27 in a fight, and Richard Matthews Jr., charged with Monday in search for a Negro who allegedly seized and attempted to assault a white girl near her home there Sunday night.

The jury returned a "no" bill in the case of Julia Warrior, 67, who was charged with shooting Eunice Taylor September 28.

Four other Negroes, Odis Barber, alias "Pepperhead," Clifford Plant, alias "Killer," James Walker, alias "J. T.," and Arthur Glass, alias "Flop," were named in a true bill charging they robbed A. C. Allen of \$9 and Fletcher Lee Swing of \$2.10 on July 13.

Talladega, Ala., Daily Home  
September 13, 1940

All kinds of petitions are constantly circulated, but we believe one of the most remarkable to come to our notice is reported from Houston county, where Negroes have petitioned that the courts be more severe in punishing members of their race. They declare that the leniency of the courts toward Negroes is not in the interest of law observance.

## Negro Gets Bullet In Place Of Coat He Aimed To Steal

OCT 28 1940

Because he saw an overcoat he liked in a store window at 1610 Second Avenue, North, Charlie Henry White, 30-year-old Negro, Monday was in Hillman Hospital, a police bullet wound through the chest.

White was shot Sunday night by Police Officer Jamie Moore after Officer Moore and his prowl car partner, Officer W. C. Garrison, said they saw the Negro attempt to smash with a brick the store display glass.

After hurling the brick against the plate glass window, White fled at the sight of the officers, police records showed Monday.

The chase ended in Second Alley, North, between Sixteenth and Seventeenth Streets, when one of the four bullets fired by Officer Moore found its mark. White, 30, is under guard at the Hillman.

White failed to get his foot in fact, he even failed to break the plate glass window, which was only scratched.

## Alabama Negro's Plea Denied By High Court

WASHINGTON (AP)—Willie Clark, a Negro sentenced to death in Limestone County, Alabama, on a charge of rape, failed Monday to obtain a Supreme Court review.

He contended that his conviction in the Limestone County Circuit Court on Nov. 10, 1938, was illegal because Negroes were excluded from the Grand Jury and Petit Jury.

The conviction was upheld by the Alabama Supreme Court.

He was alleged to have assaulted Mrs. Leacie Clem at her Limestone County home in October, 1938. He was arrested at Athens, Ala., and confined in the Birmingham jail.

He also contended that he was inadequately represented by coun-

sel and that he was tried by a jury where "public feeling was aflame with anger." The Supreme Court said that Clark's petition was not filed "within the time provided by law."

## About Birmingham:

### Two Cups Of Hot Coffee Play Major Role In Solution Of Tough Hit-And-Run Case Here

BY BOB LUCKIE

Call this fate, chance, coincidence or what you will. . .

In Birmingham this past week a tough hit-and-run slaying case was solved by two cups of hot coffee. . .

Of course the coffee was but one of the links in the chain of events that led to the arrest of the automobile driver, but nevertheless it was the coffee which set the machinery of the case into action.

If you read Wednesday's papers you remember that Tuesday night a Negro woman, Emma Bass, was killed on Birmingham's rain-slickened city streets. She was the victim of a hit-and-run driver, a driver whose automobile dragged her body for some distance before the body became dislodged and fell to the concrete.

Clues in the case were slim. There were no witnesses, no tire impressions to work on. The only big clue was a broken name-plate ornament from the grill of the car's radiator and two bits of broken metal from the grill.

Officers O. O. Patterson and C. J. Pattillo, who were handling the case, checked every angle. But the angles were few. They knew the make of automobile involved but that was all. And in Birmingham there are thousands of autos of that make.



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HOT JAVA—But here's where the hot coffee comes into the case.

For years each night about midnight Police Capt. C. F. Eddins and Sergt. W. R. Brown have had coffee together. Generally they went to the same restaurant.

Wednesday night, as usual, they started out for coffee about midnight.

"Let's go some place else to-night," Capt. Eddins said to Sergt. Brown.

"Why?"

"No special reason."

So they went "some place else" Wednesday night. At the new coffee house the proprietor came over and told the officers that on the previous night two boys had

started a fight with two of his curb boys.

### Sunday's Meetings

Thomas Jefferson Hotel—Church of Divine Metaphysics, 11 a.m.; Oldsmobile Training School, unsettled time.

He wanted to know how he should handle cases of the type in the future. The captain and sergeant explained the procedure for securing a warrant for the arrest of trouble-makers.

Then, quite incidentally, the proprietor said something about the automobile the boys left in after the fight with his curb boys.

The officers asked him again the kind of automobile. He told them. . . The stand where the officers were drinking the coffee is in the vicinity of the accident scene. . . The boys had been drinking. . . They had left in the auto mobile headed north. . .

Soon the names of the two boys who the night before had had a fight with the curb boys were in the hands of Officers Patterson and Pattillo.

The officers searched the neighborhood where the youths were said to live. They soon found the residence. Then the garage, which was closed.

Peering in from a window, they saw the automobile parked inside had been in some sort of collision. The grill was smashed.

Investigators Patterson and Pattillo entered the garage. They compared the broken name-ornament with the broken grill. . . the two fitted. . .

WASN'T A POST—At police headquarters Marvin Pridmore, 19, admitted hitting something that night, but said he thought it was a post or sign board.

Over coffee early Thursday morning the sleuths considered the case closed as far as they were concerned and went home to catch some sleep before the next shift. . .



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ABOUTTOWNS—The Georgia personality woman, Susan Myrick, who columns for The Macon Telegraph and who was in town at the Duke-Wake Forest game last week, telling friends about when she was the only one who plans to serve her country cheered the Auburn-Tech halftime should war come. She's the lady, score. . . Mrs. Edwin Whiteside remember, who taught Clark hurrying to the courthouse where Gable, Vivien Leigh and others in she works. . . County Commis-Eustace Schuler, his buddy, bot. . . Evelyn Dunn chatting via tele- of whom are just back fromphone with a friend downtown.

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Friends of Shirley Helnich, part of Birmingham's contribution to the Duke student body, relating a story of Shirley's embarrassment at the Duke-Wake Forest game when she was the only one who cheered the Auburn-Tech halftime score. ... Mrs. Edwin Whiteside hurrying to the courthouse where she works. ... County Commissioners Bob Wharton, Earl Bruner

and Henry Sweet huddling over the voting machine question, which newsmen are praying will result in Jefferson's adoption of the modern method of voting.

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## Wife May Have Saved Mate's Life By Firing At Robbers

### Woman, Watching Theft, Gets Gun, Opens Up On Negroes Holding Up Grocery Operator

Credit Mrs. Gus Campisi with remarkable heroism and possibly with saving the life of her husband when two Negro bandits, one armed with a gun and the other a knife, robbed Campisi last night at his store, 3317 Fifth Avenue, North.

A bruised leg and slightly shattered nerves were the only cost to the woman, who routed the Negroes with two shots from the family pistol, although she was fired at twice by the retreating pair.

Mr. Campisi reported to Investigating Detectives Shirley and Helton the two Negroes entered the store while he was there alone. One of them ordered something and tendered a \$1 bill in payment, according to the detectives, and Mr. Campisi went to the cash register to make change.

As the grocer stood at the cash register, the detective said, one Negro brandished a knife and the other whipped out a gun. The one with the gun stepped to the cash register, ordered Mr. Campisi to step aside and hurriedly took about \$10 from the cash register.

Mrs. Campisi had remained in the rear of the store and saw the entire procedure. She quietly went into the living quarters in the rear of the store, obtained a revolver and as she approached the front of the store, fired two shots at the Negro armed with the gun, who was standing near her husband in a threatening manner.

The gunman, according to the detectives, then backed quickly to the front door with his companion and fired twice in her direction, both shots going wild.

Mrs. Campisi said, after the bandits ran from the store in the darkness she was afraid "he was going to kill my husband and I wanted to get him first," according to the detectives. The officers said Mr. Campisi took the gun from his wife and fired several times at the bandits as they fled in the darkness.

**BANDITS BEWARE**—Here is Mrs. Gus Campisi, who with her husband operates a small grocery store at 3317 Fifth Avenue, North. Mrs. Campisi shows how she fired two shots at Negro bandits who held up and threatened her husband at the store last night. While her husband was in progress, Mrs. Campisi slipped in the rear of the store, obtained a revolver and blasted at the two armed Negro bandits, causing them to flee from the store after they looted the cash register of \$10.

### Sue For \$5,000 Each

### Admission

The Ray Coal and Coke Company was named defendant yesterday in two damage suits filed in Circuit Court by negroes who were injured in a collision on Dec. 30 at the intersection of Jackson and Thurman Streets. The plaintiffs, William Moore and J. Garrick Hardy, are school teachers.

It was alleged in the complaints that the driver of the coal company's truck hit the negroes' car and that the accident was the result of negligence on the part of the agent of the defendant. The suits, each for \$5,000, were filed by Thomas and Thomas, counsel for the plaintiffs. Hardy is a member of the faculty at State Teachers College and Moore is a principal in South Alabama.

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and leaving the scene of an accident.

Finally, in the vicinity of Gables Square, Officers Scott and Muir got within range of the Negro's speeding auto. A couple of well-placed shots punctured the right rear tire of the Negro's car and the chase was over.

Brought to Police Headquarters and questioned by City Detectives Walker and Pierce, the Negro could give no explanation for his wild driving, according to the investigating officers, who said the Negro was under influence of intoxicants.

### Negro Snatches Purse

Miss Ruby Ashwander, Hanceville, a nurse at St. Vincent's Hospital, reported to police Friday night that a Negro snatched her purse while she was walking at Twenty-first Street and Magnolia Avenue. The purse contained \$2 in cash.

## Patrol Cars Led Wild Chase By Fleeing Negro Motorist

### Effort To Outrun Police Ends When Tire Is Shot After Dash Through City

Young officers of the morning police shift wound up victorious early this morning in their efforts to capture a Negro auto driver, who led them one of the wildest chases in many months from Ensley through the downtown section, over a good part of the Southside.

The bullet-riddled auto of the Negro, identified by the arresting officers as Joe McKeithen, 34, of 1324 Fifteenth Street, Southwest, was finally brought to a halt on Eleventh Avenue, South, between Eighth and Ninth Streets, when his right rear tire was punctured by well aimed bullets fired by Officers Muir and Scott.

The chase began in Ensley at midnight when Officers Haley and Rouse, in Police Radio Patrol Car No. 41, suspecting the Negro of being a liquor runner, attempted to stop him for questioning. Instead of obeying their orders to stop the Negro "gunned" his car to maximum speed in the direction of Birmingham proper.

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On the edge of Ensley Police Car No. 41, hot in pursuit of the Negro driver, was forced out of action when it struck a curb, damaging a wheel.

To prevent the Negro driver from escaping out of the city limits Desk Sergts. Morris Cousins and Marcus Hancock had police cars stationed at outlets from the city to national highways, meanwhile calling on Homewood, Tarrant and Fairfield police radio cars to be on the alert for the Negro driver.

At Eighteenth Street and Second Avenue, South, the Negro's car was again sighted by police seeking him and the chase began anew. Throughout the downtown section, with Officers Smith and Stevens close behind him the Negro sped on, ignored stop signs and passing autos and headed for the Southside.

On Highland Avenue, the officers said, a passing motorist became overly curious and joined the chase long enough to strike two parked autos and lose a fender off his own auto and then disappear in the darkness. Police today were seeking this driver for reckless driving



## The Demand For Convicts

IN THE old days, the man who served a term in prison usually had trouble in getting a job upon his release. Employers were not usually willing to trust him, or to let him prove that he was capable of leading a life as an upright citizen.

Now, however, the case seems to be different, especially where negroes with good prison records are concerned. "It is said," points out The Alabama Journal in discussing this situation, "there is a growing demand among Alabama employers for negro workmen who have served their time or who are considered worthy of parole. Why is this? The answer seems to be that so many negroes sent to prison come out better equipped and better disciplined than when they entered."

"The prisoner," adds The Journal, "may have gone in diseased; he comes out physically fit because he has been under medical care such as he never before enjoyed. He may have gone in ill-fed and enemic; he comes out well fed and muscular. He may have gone in ignorant of the simplest sanitary and health rules; he comes out disciplined in what has to be done. He may have entered knowing no trade or occupation except manual labor; he comes out in many cases trained as a cook, as a waiter, as a gardener, as a farmer, as one of a dozen things which can make him a good living. These things appeal to employers as making such discharged convicts desirable help."

What The Alabama Journal has to say is true, but still one of the major whys is not answered. For decades, negroes have been going to prison and coming out better trained and in better physical shape, but only within the past five or six years has this demand for their labor been noticeable. Why? We don't profess to know the answer ourselves, but we have been told by those who do profess to know that the chief reason for this is the demoralizing effect which government assistance has had upon the negro. In the late 60's, it was the Freedmen's Bureau. Rural negroes stood by waiting for their 40 acres and a mule, and when they didn't get them, they flocked to the towns, abandoning all ideas of labor. Modern "ree-lief" has done the same thing, on a lesser scale. This is not to say, of course, that all the negroes who have been helped by relief were unworthy or having been ruined, but it is to say that a fairly good share of them have been converted to the idea of making relief a career. It is also to say that as a result, a lot of them have forgotten how to work. All ideas of self-discipline have been abandoned, and the employer who wants a man who knows how to work and desires to work, often

finds his best men among those who have been released from prison. This is a tribute to the splendid rehabilitation work which the prisons are doing, if not to other public agencies.

## Negro In Prison For Brother Freed

MONTGOMERY, Ala.—Brotherly love is one thing, but serving a life sentence for a brother is something else again.

A Negro listed as Oscar Burgess, who was convicted last May of the 12-year-old murder of Nick Farris, told the State Board of Pardons and Parole he was serving a life sentence for a crime of which his brother was originally accused. The Negro, of Conecuh County, said his name was Arthur Burgess, Oscar's brother.

Members of the Board of Pardons and Parole Board decided the Negro was right, and today had placed him on good behavior. Mrs. Edwina Mitchell, member of the board, said "wanted" placards for Oscar mentioned several scars and other marks of identification which were not found on the imprisoned Negro.

Mrs. Mitchell said nothing has been heard of the real Oscar.

Others paroled Monday: Charlie Jackson, Jefferson, murder; Roosevelt Whittaker, Hale, forgery; Collie Paulk, Geneva, manslaughter; Louis Jackson, Jefferson, second degree murder; Boisie Matthews, Montgomery, manufacturing liquor; Marvin Waldrop, Autauga, murder; William Henry Cooke, Mobile, criminal assault; Bill Childress, Escambia, grand larceny; Ira Lee Fenley, Jefferson, distilling; John Evans, Colbert, receiving stolen property; Ed Jackson, Jefferson, murder.

Harold Lawrence, who had served a sentence on a manslaughter conviction in Blount County, was granted a full pardon with restoration of civil and political rights. Approximately 30 parole applications were denied.

## Fake Damage Claims Charged To Negroes

When you try to collect money for damages suffered in an accident, be sure you were in the accident, is the advice of the Anti-Racketeering Bureau of the Birmingham Chamber of Commerce, which announces the arrest of three Negroes, Jimmie Gibson, Will Colston and Willie Smith, following their indictment by the Bessemer Grand Jury on a charge of obtaining money under false pretenses.

Arthur Green, deputy circuit solicitor, Bessemer, advised the Anti-Racketeering Bureau of the arrests made after he had presented evidence to the Bessemer Grand Jury, alleging these three had collected damages for injuries alleged to have been suffered in a recent accident of the Summers Bus Company, when they were not even on the

bus at the time of the accident. Seeing the other passengers lining up to report injuries the three "thought it would be a good idea" to get in line and also claim injuries and collect a bit of "easy money."

## Freedom Granted To 41 Convicts

MONTGOMERY, Ala.—(P)—The Alabama Boards of Pardons and Paroles granted freedom to 41 convicts today, but denied clemency petitions of 62 others.

Among those paroled, pending good behavior, the board listed:

Willie Shields, Autauga County, sentenced to 16 months and six days for shooting eight banded quail and hunting without a license.

Frank Lee Barnett, 64, convicted of assault to murder in Jefferson County, and whose parole stipulated he must never again return to that county.

Buster Phillips, Mobile Negro, sentenced to life for rape in 1923.

Charleston Smith, Bullock County, sentenced to life in 1926 for robbery.

James Rice, Lowndes County, who wrote the board he was visiting the Selma City Hall when asked to stand in line while a storekeeper attempted to pick a robber suspect from several under arrest—and pointed him out as "the man."

Ed Williams, Wilcox County, whose parole from a 1922 life sentence was revoked when he accepted blame for liquor found in his house and got 60 days "added" to his previous sentence.

## Trusty At County Jail Rests In City's Bastile On Charge Of Assault

Theo Sims, 30-year-old Negro County Jail trusty, had changed his address today. He was in the City Jail charged with assault and battery.

The Negro was arrested yesterday at Rickwood Park after he allegedly threatened to strike Officer C. R. Griswold with a brick as the officer attempted to stop Sims from chasing a Negro woman, who, he claimed, stabbed him several times with a knife.

Attached at Hillman Hospital, where he was treated before being lodged in the City Jail, said he suffered wounds in the left arm, on the back and on one finger.

The woman, whose name was given as Virginia Hosey, was charged with assault with intent to murder and also placed in jail.

Officer Griswold said Sims threatened to hit him with a brick when he intercepted the chase. He drew his pistol and ordered the Negro to drop the brick, which he did. Later, Griswold said Sims picked up the brick again and threatened to throw it at him.

County Court records show Sims was fined \$500 and costs in Judge Abernethy's court in October of last year on an assault with a weapon charge. He was to complete his sentence in October.

According to Chief Deputy Henry Hill, Sims had no "expressed permission" to be at the ball park yesterday.

## Youth Seriously Shot And Negro Is Jailed After 'Rock' Battles

### Thomas Elliott Is Taken To Hospital With Bullet Wound Through Chest

A gaping hole through his chest where a .45 caliber rifle bullet plowed its way through, Thomas Alexander Elliott, 19-year-old youth, was in critical condition at Hillman Hospital today while police continued their investigation of "rock battles" between white and Negro youths.

In the Southside Jail charged with assault with intent to murder was Robert Lee Strickland, 23-year-old Negro youth and senior at Parker High School, who gave himself up to police shortly after the shooting Saturday night and who admitted officers said, he fired the shot which struck Elliott.

Elliott, gasping from the impact of the shot fired from an old-fashioned .45-.70 rifle, told officers he had gone to a Negro house to protest to Strickland's mother about her son "throwing rocks at him."

Strickland told a different tale. He told officers he had gone to the grocery to buy a loaf of bread. On his return he said, he was "rocked by a group of white boys" and fleeing, sought refuge in the home of a friend near by.

Strickland told officers after he entered the house, the white youths circled the building in Indian fashion. He said he saw a gun standing in a corner and as one of the youths passed by the back door he fired and Elliott fell.

The Negro told officers his mother had given him a dollar to go to the store and buy a 5-cent loaf of bread. In his pocket, at the time of his arrest, officers said they found the exact change even to the tokens.

In the course of the investigation, officers said they learned there had been frequent rock battles between white and Negro youths in the vicinity of the shooting. Elliott lived at 1621 North Twelfth Street while Strickland lives at 1605 Rear Eighteenth Street, North.

## Storekeeper's Slaying Reported Confessed By Negro Ex-Convict

### Shooting And Robbery Of Lee Thomas Is Admitted By Gunman, Morris Says

BESSEMER, Ala.—A Negro ex-convict identified as James Ervin, 39, has confessed to the slaying of Herbert Lee Thomas, 38-year-old Wenonah storekeeper, Friday night, according to Bessemer Chief Deputy Sheriff Clyde Morris.

The Negro, Morris said, is being held in Bessemer Jail, charged with first-degree murder and robbery after he confessed last night, according to the chief deputy, to having shot Thomas through a crack in the wall, then entered the store and robbed the body of \$8.75.

Ervin, Morris explained, finished serving a sentence last year for distilling and at present is on five-year probation for a similar charge.

The .32-20 caliber pistol, identified as the one used in the slaying, was found in the Negro's home a short distance from the store. The shooting occurred about midnight Friday. The Negro told officers he shot Thomas after the storekeeper threatened him earlier in the evening, Morris said.

After the shooting, he told officers he ran about half a block from the store and waited until he was sure no one had heard the shot, then returned and entered the building through the back door, according to the chief deputy. Finding Thomas lying on the floor, apparently still alive, he struck him once over the head with an iron bar. He then emptied the man's pockets and fled, according to his confession.

Thomas, the officers explained, had rented the store about a week ago and was staying there at night as a safeguard against burglars. Ervin told the officers he had known the man about two years.



## Missing Person Racket Stopped At Kilby Prison

### Negro Trustees Exploit Credulity Of Northern Women

NOV 27 1940

Col. William E. Persons, director of the State Department of Corrections and Institutions, said yesterday the practice of the old missing persons racket had been interrupted at Kilby Prison. *Montgomery* works, with minor variations, like this:

The convict, who often becomes ingenious because he has nothing to do but think, gets a copy of a negro newspaper, in this case The Pittsburgh Courier, and turns to the missing persons column.

They read something like this:

"We want information about the whereabouts of Mai, Doe, a traveling baseball player of Cleveland.—Sue Willie Doe, Cohen Avenue, Birmingham, Ala."

The convict writes the woman that he, Major Doe, is in prison and that's the biggest reason why she hadn't seen him in some time. However, he is just about ready to get out and if she will just send him the \$20 for train fare home. Or send \$15 so a lawyer can be hired. Or \$10 for a suit so he won't have to travel home in stripes.

*Montgomery* The woman, highly anxious to see her husband, brother or father again, sends the money—and the convict impersonator has pocketed some spending money.

*Ala.* Col. Persons said the latest eruption of the racket was eradicated because one of the capitol trustees got too clever and used the name of an innocent Highway Department trusty as a dummy.

Lee Jones, the dummy, got a letter from Pennsylvania with \$25 enclosed. He turned it over to Howard Thames, Capitol custodian, Col. Persons explained.

What had happened was the guilty trusty had figured he would make the Jones negro the goat by employing his name as the addressee. He planned, of course, to intercept the

letter and the \$25. If the Pennsylvania woman, who antied up with the \$25 to get her missing kinsman home, squawked to prison authorities Lee Jones would be the one called in for the explanation.

A member of Col. Persons's staff wrote the Pennsylvania woman that she had been duped, her kinsman was not in Kilby.

"But the funny thing," remarked Col. Persons, "is that she doesn't believe us. She writes back to say she knows he's in Kilby, has inside information."

The colonel went on to recount that the two guilty negroes were now in solitary.

"I started to turn them over to the federal authorities," Col. Persons said, "but what was the use? One is serving life and the other has 50 years to serve."

## Youth Gets Life In Second Murder Trial

*The Plain Dealer*  
*Kansas City, Kan.*  
**Alabama Gives Life to Youth in Murder Case That Went to U. S. Supreme Court**

MONTGOMERY, Dec. 20 (ANP) — A murder case which for two years has attracted wide attention and which, on appeal, went to the U. S. Supreme court, was closed here last Wednesday in Judge Carter's Circuit court when a jury found Dave Canty guilty of the murder of Miss Eunice Ward, white, Montgomery health nurse and sentenced him to life imprisonment in State prison.

At the first trial in June, 1938, a jury decreed the death penalty but Canty's counsel secured a new trial on appeal to the Nation's highest tribunal. Under the Supreme Court's ruling, an alleged confession by Canty used at the first trial, was declared inadmissible at the second hearing, because it had been obtained by keeping the defendant in solitary confinement and by duress.

One of the State's star witnesses at the second trial was Mrs. Hattie Howard, aged colored woman fortune teller, who told of a visit made to her house by Canty shortly after the crime was committed two years ago, last March. Mrs. Howard said Canty admitted "hitting the woman first", referring to the attack on Miss Ward and her sister, Lillian, in a ticket near the Masonic home, as they were picking flowers. The state also introduced three boys who identified Canty as the man they saw running from the thicket on the afternoon of the crime.



CRIME - 1940

## Alabama Can Do The Right Thing

NOV 30 1940

NEWS dispatches from Montgomery, Alabama, this week tell a tragic story of a miscarriage of justice which has finally been corrected after a lapse of seven years. The three men involved are white and, according to the story as carried by the Associated Press, each received from the State of Alabama a suit of clothes and \$12.60 in cash after serving seven years in Kilby Prison for a crime which, it has now been definitely established, they did not commit.

Release of the trio was ordered by the Alabama State Board of Pardons and Paroles "which said it was convinced convictions resulted from mistaken identity." The account relates further that the men were sentenced for the robbery of a bank in September 1933 "which the board said an unidentified man confessed recently and implicated others."

A suit of clothes and \$12.60 in cash is poor compensation for seven years of a man's life spent behind prison bars under any circumstances even assuming that his guilt has been established beyond a shadow of doubt. But even though Justice theoretically at least, is blind, human frailties must be taken into consideration and the orderly processes of law sometimes become twisted and innocent victims suffer.

We make the point here, not because we hold any brief for the sovereign State of Alabama or its Board of Pardons and Paroles, but rather as a simple reminder to both of them. The story of the notorious Scottsboro case is too well known to merit any repetition in these columns, but we cannot refrain from reviving its tragic memory at this time while the Alabama Board of Pardons and Paroles is in a charitable mood.

We commend to the earnest attention of members of the board the fact that four youths are still serving sentences in Kilby Prison, ranging from 20 years to life imprisonment, for a crime which the whole

world has long since been convinced they did not commit. We feel constrained to remind the honorable board that on the basis of the same evidence for which three of these innocent victims are still being deprived of their freedom, five others have been pardoned, and that there was no question of mistaken identity involved in the case at any time. All the boys were each charged with assault on the two women involved. We bring these observations to the attention of the Alabama Board of Pardons and Paroles and to His Excellency, the Governor of Alabama, who is its chairman.

## Negro Resumes Defense In Montgomery Killing

MONTGOMERY, Ala.—Dave Canty, Negro, charged with the murder in 1938 of Miss Eunice Ward, Montgomery County health nurse, for the second time Tuesday, began defense against the charge.

The state concluded the prosecution Monday in the case, which has once gone to the United States Supreme Court, which held the death sentence given in the previous trial was illegal because a confession used as part of the state's evidence had been obtained by duress.

Miss Ward and her sister, Miss Lillian Ward, who was also attacked by the Negro, whose blows killed Miss Eunice, were picking flowers near the Masonic Home here in March, 1938. The attack occurred on Saturday afternoon and both women lay unconscious all night until Miss Lillian Ward recovered sufficiently to summon aid. Miss Eunice Ward died two days later in a hospital.

Miss Lillian Ward did not positively identify Canty during her testimony but said she believed from his size, color and voice he was the man who attacked her and her sister.

Canty was identified by three youths from the Masonic Home as the man they saw emerging from the thicket on the afternoon the crime occurred.

## Negro Is Given Life For Capital Slaying

MONTGOMERY, Ala.—(AP)—Dave Canty, Negro, was convicted of murder Wednesday in the 1938 slaying of Miss Eunice Ward, Montgomery County nurse, and sentenced to life imprisonment by a circuit court here. It was Canty's second trial, the United States Supreme Court having reversed a death sentence on

ALABAMA

grounds a confession which the Negro allegedly signed was forced from him. An attempt to introduce the document this time was overruled.

Miss Ward and her sister, Lillian, also a nurse, were attacked in 1938 on a suburban woods road while picking flowers, beaten and left, apparently for dead. They were discovered the next morning, when Lillian crawled to a nearby highway. The latter recovered and testified against Canty, although unable to positively identify him.

# Reward Increased In Mysterious Slaying

DEC 31 1940

BIRMINGHAM, Ala.—SNS—Enon Ridge citizens at Sardis Baptist Church Sunday raised nearly \$30 which they said would be placed as an additional reward for the capture of the killer of Mrs. Wyolene Jones Fowlkes. A reward of \$100 has already been offered Fowlkes, husband, of the victim.

Alex Brewer, community leader in making the appeals paid tribute to the Jones family as one setting a high standard in Birmingham and likened the matron's murdered to a "sheep-killing dog," a dog that "trick" when the keeper of the flock is away. Mr. Brewer mentioned the resolution of a group of Houston county citizens deploring the fact that courts and police are often too easy and indifferent towards crimes in which Negroes kill one another in asking that "we, as citizens of Enon Ridge let all know that they can't kill in the dark and get off with it."

The Rev. O. H. George, fearless pastor of the Sardis Baptist Church, predicted that the killer will be captured within thirty days, basing his opinion upon his faith in church prayers and the efficiency of the Birmingham sleuths. He announced a mass meeting at his church at three o'clock next Sunday. Pastor George told the congregation that it was in the interest of "your protection that the killer be run down and dragged before the bar of justice."

It was hinted by Mr. Brewer that "all Birmingham is ready to join with us," apparently meaning to swell the reward for the capture of the slain woman's killer.

Mrs. Fowlkes, well-liked pianist and singer and community worker, was cowardly shot down in the back the night of December 22 as she started from her home with a message for a neighbor two blocks away. She was found dropped by a single pistol bullet lying face down in front of the Tuggle school, one block from the Sardis Church.



# Gets Life in Second Trial of Case Which Went to High Court

DEC 20 1940

MONTGOMERY, Ala. — (ANP) — A murder case, which for two years has attracted wide attention and which, on appeal, went to the U. S. Supreme court, was closed here last Wednesday in Judge Carter's circuit court when a jury found Dave Canty guilty of the murder of Miss Eunice Ward, white, Montgomery health nurse and sentenced him to life imprisonment in State Prison.

At the first trial in June, 1938, a jury decreed the death penalty but Canty's counsel secured a new trial on appeal to the Nation's highest tribunal. Under the Supreme Court's ruling, an alleged confession by Canty used at the first trial, was declared inadmissible at the second hearing, because it had been obtained by keeping the defendant in solitary confinement and by duress.

One of the State's star witnesses at the second trial was Mrs. Hattie Howard, aged colored woman fortune teller, who told of a visit made to her house by Canty shortly after the crime was committed two years ago, last March. Mrs. Howard said Canty admitted "killing the big woman first," referring to the attack on Miss Ward and her sister, Lillian, in a thicket near the Masonic home, as they were picking flowers. The state also introduced three boys who identified Canty as the man they saw running away from the thicket on the afternoon of the crime.

## ALA. JURY DEBATED FOR OVER 16 HOURS

Dave Canty, Who Murdered Woman's Sister Said "Looked Like the Man," Continues to Plead Innocence.

DEC 14 1940

MONTGOMERY, Ala., Dec. 12 — Originally sentenced to death following his first conviction of the attack, robbery and murder of Miss Eunice Ward, middle-aged white nurse, Dave Canty, Montgomery county Negro man, was found guilty a second time by a jury in Circuit court here, Wednesday, on retrial, and received a sentence of life imprisonment. Deadlocked for more than 16 hours, the jury finally rendered its verdict shortly after 2 o'clock in the afternoon.

### CONFESSION WAS OBTAINED BY DURESS

On an appeal taken from his first conviction, Canty received a new trial under a decision by the U. S. Supreme court, holding that an alleged "confession" made by him was obtained under duress and should not have been admitted in evidence against him.

Principal State's witnesses were an aged fortune teller, Hattie Howard, who testified that soon after the crime was committed incriminating statements were made to her by the accused, and three youths who testified they saw the defendant, following the murder, leave the place of woodland on the outskirts of the city where the crime occurred in March, 1938, on a Sunday afternoon.

Miss Lillian Ward, sister of the murdered woman, and who was seriously injured in the same attack, was called to the witness stand, but would go no further than to say Canty "looked like" the assailant of her sister and herself, stating that she would not and could not positively identify him as the attacker. A number of witnesses called by the defense stated they saw him on a down-town street in Montgomery at the time the attack took place. On cross examination of State's witnesses, it was developed that they did not choose Canty from a "lineup" when identifying him, but were shown Canty only, and that two of them later agreed on an identification though they had at first stated his color was "too light."

Denying his guilt, Canty in testifying in his own behalf, said he fled the city going to Mobile where he was arrested, following the

crime, because of fear of loan "sharks" to whom he owed money that he could not pay.

## Kilby Parolee Held As Burglar

### Negro Caught Robbing Grocery, Officers Say; Numerous Other Thefts And Holdups Reported

DEC 31 1940

Johnny Rivers, Negro, who, investigating officers said, was released from Kilby Prison on parole last June after serving more than four years of a five-year prison term for burglary was back in Southside Jail Tuesday charged in burglary and grand larceny after being taken into custody by Officers White and Richmond, who reported they surprised the Negro in the act of burglarizing the Hill grocery at No. 4 Cotton Avenue early Tuesday.

The Negro, who has a wooden leg, was hiding behind a counter when the officers entered the grocery with pistols drawn. Evidently recognizing Officer White, who is one of the Police Department's best marksmen, the Negro came from behind the counter with hands upraised and meekly surrendered.

An investigation by the two radio patrolmen and Detectives Howell and Abbott revealed the Negro had forced the large lock on the front door of the store with a crowbar more than a yard long, according to the officers' report.

The pay station telephone was found ripped from the wall and a large sack of groceries found outside the store, indicating, the officers said, the Negro was making his second trip to obtain further loot.

Questioned at Police Headquarters by the two uniformed officers and detectives, the Negro admitted having been released from Kilby Prison last June on parole after serving more than four years of a five-to-seven-year prison term in Kilby.

Police Bureau of Identification records also reveal the Negro served a nine-month term on the county road on a grand larceny charge prior to his state prison term.

Only a short distance away at 500 Sixth Avenue, South, police found the lock on the front door of the Hill grocery there twisted off in much the same manner as the store on Cotton Avenue where they said Rivers was taken into custody. A check was being made Tuesday to determine the amount of loot taken while police sought to link the two burglaries.

Capt. J. H. Dohs, attached to the U. S. Army and stationed at Ft. Jackson, S. C., reported to police an auto pilferer forced open the ventilator on his auto parked downtown and burglarized the machine of a tuxedo, top coat, shaving kit and other articles valued at \$120.

A "strong" thief carried off 300 pounds of copper wire from the Birmingham Electric Manufacturing Company, 109 North Eleventh Street after entering the place through a rear door. Value of the wire was placed at \$30.

J. V. Robertson, building contractor, of 2110 Twenty-Fourth Street, was under treatment of a physician at his home Tuesday aft-

er what he reported to Ensley police was an encounter with a bandit armed with a knife late Monday afternoon in which \$360 was taken from him and his clothing slashed by the bandit.

The victim told police the bandit approached him at Elder Avenue and Huntsville Avenue and, after threatening him with a knife, took his money and then attacked him with a knife slashing his clothing and then fleeing from the scene. At his residence Tuesday morning Robertson was reported in a highly nervous condition.

Officer D. E. Ford suffered a painful but not serious injury to his right eye late Monday afternoon in an encounter with W. J. Fitzpatrick, of Bessemer, who was placed in the Southside Jail on charges of drunkenness, disorderly conduct and resisting arrest, according to a report by Capt. Harry Early.

The police captain said he was informed by the officer that after placing Fitzpatrick under arrest for drunkenness at the Terminal Station he took him into the baggage room to call the police patrol. While using the telephone, the arresting officer reported, he was attacked by the prisoner and forced to fight him off. Fitzpatrick was given first aid treatment at Hillman Hospital for head injuries suffered in the attack on the officer and later transferred to the jail, the report of the encounter shows.

W. E. Pirkle, 38, of 2404 Second Avenue, North, was treated at Hillman Hospital for lacerations of the face and head. The injured man told hospital attendants and City Detectives Weir and Gilliland he was hurt by an unidentified assailant who attempted to rob him in vicinity of the bus station Monday night.



## Negro's Parole Revoked By Judge Carter Here

The first revocation of a parole granted in this county under new criminal court procedure occurred yesterday. To the penitentiary went Johnny Williams, negro, convicted about a month and half ago of grand larceny. Johnny was sentenced by Judge Eugene W. Carter to 13 months, but the judge suspended the sentence and placed the negro on probation.

It took Johnny only a short time to forget all about his promise to the court that he would be good, and was convicted again last week in recorder's court for alleged shoplifting. Now, he's in more trouble than before he went free on parole, for when he completes his penitentiary term, Johnny will have to serve a jail sentence for last week's larceny offense.

The sheriff's office reported yesterday that in the Juvenile Court a parolee had been paroled for stealing ten bicycles. The negro is said to have continued stealing bicycles almost from the time he was first placed on probation.

## Three Negroes Held On Bootleg Charge

Three negroes were held at the city jail after their Ford car, alleged to have contained 12 gallons of bootleg liquor, was intercepted in North Montgomery by ABC agents as it approached the city proper about 10 o'clock last night. The negroes were listed as Virgil Green, 20, Willie R. Robinson, 18, and Willie James Savage, 31. Lieut. T. H. Adams said the trio would be held for further questioning by the board.

## Train, Searched For 2 Killers, Yields 2 Very Humble Hoboes

If the two negroes, one known as "Red" and the other as "The Oklahoma Kid," accused of murdering Mississippi Constable Hilliard Hall, had not been in Homochitto Swamp, as Associated Press dispatches stated Thursday night, but on an inbound freight train No. 74 which arrived here at 2:20 yesterday morning, they would have been safely couched like their "double" in the Montgomery jail.

Despite reports that the suspect, "Red," was surrounded by a posse near Knoxville, Miss., and his alleged accomplice somewhere else, police here heeded a Mobile dispatch that the pair had been seen boarding the freight at Bay Minette, and armed to the teeth, met the train upon its arrival here in the yards.

The Mobile arrest order described one negro as being tall and reddish, with bullet holes in his coat, and a wound over one eye. The other negro's description fitted that of "The Oklahoma Kid."

Montgomery police, detectives and highway patrolmen, braving rain and sub-freezing weather, met the train surrounded it and got their men.

### Here's the Joke

"Only," said Chief Paul Rapport "somebody had a pipe dream. They weren't the ones."

The two men found snoring in a box car, woke up to blink at a battery of flashlights and sawed off shotguns. "And then," said Rapport, "they seemed to want to go back to sleep."

"They didn't even seem surprised," he said, "and they weren't! They were just out of the Mobile jail and took it as a matter of course."

"You see, they knew they hadn't done anything much for the simple reason that they were both in the Mobile jail when somebody shot the Mississippi constable."

"One of 'em was tall and reddish but the holes in his coat just wore that way and if he had a bump on his head maybe he got it in the jungle—but not the Mississippi jungle. The hobo jungle down at Mobile."

"Did you see the highway patrol in Bay Minette?" one detective asked the one thought to have been "Red."

### Bought Some Peanuts

"No, sir," answered the negro humbly, "but I got off there and bought some peanuts."

"Oh, they were very humble!" Chief Rapport emphasized. "They were so glad that they hadn't done anything and weren't the real ones that they didn't think a thing of the two days

they got in city court for hoboeing. They went on their way rejoicing!"

Remembering how they would have probably snored on through Montgomery except for that report, Rapport commented, "They were good, humble fellows, just victims of circumstances."

The negroes were listed as Tom Chisholm, 35, and Earl Williams, 37.

## Screaming Woman Frightens Negro Invader From Home

Disregarding a warning to "keep quiet or I'll kill you," from an armed Negro intruder, who invaded her home early this morning after 25 cents on the dollar as alleged by her husband had left for work, the city, several notes made out to Mrs. Charles Higgins, of 2926 Ensley Avenue, Tarrant school teacher, shouted an alarm and frightened the Negro from her home.

Ensley officers, who investigated, said they were told by Mrs. Higgins and her husband, who was summoned home from his work, that Mrs. Higgins had walked toward the rear of the house when a barefoot Negro stepped out and pointed a pistol at her, threatening her against making an outcry.

Ignoring the Negro's threat, Mrs. Higgins shouted for help. The Negro then became frightened and ran out the back door stopped to pick up his shoes and an overcoat and fled.

Radio patrol cars and detectives scouted the vicinity in an effort to apprehend the intruder. The pistol the Negro used was identified by Mr. Higgins as one he keeps loaded at home as a precaution against burglars.

Mrs. Higgins was reported by police to be in a nervous condition after her experience.

Operating close to the downtown business section, bold thieves last night threw a rock through the window of the Spur Oil Company at 1331 First Avenue, North, according to police, and took \$20.

A pilferer, who broke into the auto of W. T. Du Maulin, 1119 North Twenty-Ninth Street while the machine was parked downtowning early last night, took a set of architectural drawings in a leather zipper bag. The drawings were of the Bromberg Building and were valued at \$250, according to police.

A thief with a taste for both smoked and fresh ham took \$5 worth of the two varieties from a truck operated by W. C. Burroughs, 3732 Third Avenue, South.

Birmingham, Ala. News  
January 13, 1940

## Operator Of Filling Station Is Fined

Charged with conducting a money-lending business without license at his filling station, 2600 North Sixteenth Street, Duane Smith, operator of the service station, was fined \$100 and costs in Police Court by Judge Henry Martin.

Three Negroes, all employees of the city Garbage Department, were used as city witnesses. All three had been garnished in the North Birmingham Inferior Court and consent judgments obtained against them by Smith, testimony in the case showed.

Although the defendant denied having advanced the Negroes cash money weekly at an interest rate of 25 cents on the dollar as alleged by the city, several notes made out to "bearer" were introduced as evidence to sustain this contention. The defendant then testified the notes were for "merchandise" obtained by the Negroes and that no cash was advanced or any interest charges made.

Manuel Jenkins, one of the Negro City Garbage Department employees, testified he obtained a loan of \$5 from the filling station operator and the note was made out in the sum of \$6.25, which he signed. The note was introduced in court as evidence.

Will Robinson, another of the Negro city employees, testified he had borrowed money from Smith, the defendant, "all last year at 25 cents on the dollar," but on cross-examination by the defense attorney, could not recall the dates or amounts.

It was also brought out in the trial that when asked to sign a bond by City License Collector West and License Inspector Shelton, the defendant refused to do so on the grounds "he was not guilty," and was placed in jail, later making a professional bond.

## Negro Begins 10-Year Sentence For Stealing

### Six Bottles Of Pop

MOBILE, ALA., March 14.—Ace-man White, negro, today began serving a 10-year prison sentence for the theft of six bottles of soda pop—30 cents worth. White, who stole the pop from a grocery store, was indicted for first degree burglary, punishable by death, but on his guilty plea Presiding Judge Claude A. Grayson of Circuit Court let him off with a mere 10 years.

## Birmingham Thieves Appear To Be Fond Of Watches And Fish

Burglars showed a partiality last night for watches and fish, taking timepieces from several homes in the city and stealing 53 pounds of red snapper from a loading platform.

The fish was stolen from the Birmingham Seafood Company at 1301 Fourth Avenue, North, and was valued at \$10.60, according to police reports.

Shortly after the fish were stolen, police arrested three Negroes on grand larceny charges in connection with the theft.

Officers said two of the Negroes admitted taking the fish and putting them into the hamper of the third, who was arrested with the fish in his possession.

The three were listed on the jail docket as Gus Walker, 1632 Twentieth Avenue, North, who had the fish when arrested; Timmie Ayers, 208½ North Twenty-Sixth Street, and Charlie Williams, who gave a Northside address.

Ayers and Williams, the officers said, work for the seafood company and alternated this morning in putting fish on a truck and sneaking part of it into the hamper of Walker.

J. E. Dykes, of 1703 South Twenty-First Street, reported theft of a wrist watch from his home last night. He placed value of the watch at \$40.

Theft of a \$50 watch and a \$2 pair of shoes from his residence at 2030 Ninth Avenue, South, was reported by C. R. McNuimus.

J. L. Ullman, of 2830 Tenth Court, South, reported theft of a watch valued at \$50.

Willie Sanders, 216 Thirty-Eighth Street, Fairfield, reported theft of a coat and overcoat valued at \$20.



# Wave Of Daytime Burglaries Solved; Six Youths Arrested

## Loot Expected To Reach \$2,000; Shoe Shop Operator Charged With Buying Articles

City Detectives Woody Sandefer and Walter Smith, weary from several days and nights of continuous investigation, disclosed Saturday night they had solved more than 20 daytime house burglaries in the Ensley and Shadyside sections of the city.

In Southside Jail charged with burglary and grand larceny and awaiting transfer to the Juvenile Court were half a dozen Negro boys, who the officers charged having burned up the Ensley district with burglaries in the last three months. The loot of the Negroes will reach \$2,000, according to the officers.

Also held in Southside Jail on numerous charges of buying, receiving and concealing stolen property was Joe Gioninia, operator of a shoe repair shop at 1800 1/2 Nineteenth Street, Ensley. The officers charged Gioninia had purchased stolen loot from the Negroes at "amazingly low prices."

Names of the Negroes arrested were given by investigating officers who included City Detectives J. W. McFarland and Virgil Sandefer, as Johnny Redman, 15; John Pennick, 14; Louie Didell, 14; Elmore Porter, 15; Clarence Coopee, 14, and John Jackson, 14, all of Ensley.

It was Redman, the city detectives charge, who sold a \$250 diamond ring for 25 cents. The ring, along with a wedding ring, a man's pocket watch and woman's wrist watch had been stolen from the home of Mrs. J. B. McCarston, 2211 Twenty-Fifth Street, Ensley.

The burglary of the McCarston home was the only one in which all of the stolen loot was recovered of the more than 20 solved, the detectives disclosed.

Unfortunately, according to the Ensley detectives, the youthful Negroes had disposed of such valuable stolen articles as gold rings, watches and other jewelry to an unknown old-gold buyer who happened along while they had the stolen loot in their possession.

The system used was for the burglars to knock on front and rear doors to ascertain if anyone was home. If someone came to the door, the burglars would make a request for "any sort of work." If no one answered their knocks, according to the detectives, they would enter the house by breaking a window or other means and take "anything they could get their hands on."

Among the stolen loot recovered by the detectives were radios, shotguns, rifles, pistols, wrist watches, clocks, cameras, clothes, hats, shoes, diamond rings and many other articles.

It was an almost worthless air rifle stolen from an Ensley residence that put the detectives on trail of the stolen loot, according to the detectives, who charged Redman, while

# Purse Snatcher Shot By Pair After Injury To Woman Victim

## Men Capture Negro Who Grabbed Money And Pushed Mrs. Lane Shelnett Into Ditch

Chance and clever detective work on the part of two Powderly white men last night solved a purse snatching case involving a Negro man and a white woman which ended in a critical shooting of the purse snatcher, a broken rib for the woman and recovery of the purse.

The Powderly white men, L. D. Allred, 31, of 908 Elmore Street, and his brother-in-law, A. W. Kendrick, 26, same address, captured the Negro, identified at Hillman Hospital as Willie James McNeill, Birmingham Route 1, within 30 minutes after the incident occurred at 11:30 p.m.

Victim of the purse snatcher, Mrs. Lane Shelnett, 245 Baldy Avenue Powderly, was knocked from her feet into a ditch by McNeill who snatched her purse and then fled. The incident occurred within a hail block of her home as she returned from the hospital where her father-in-law is ill.

Mrs. Shelnett said today her physician reported she suffered a broken rib.

The chase ensued after Mrs. Shelnett ran to the home of Kendrick and Allred and reported the attack. The two men found the Negro within 30 minutes, first seeing him as he ran under a street light on South Mer Road counting the money holding the purse under his

When they first commanded him to put up his hands he complied, only to reach a moment later into his pocket and be shot in the leg by Allred.

The Negro then was searched by his captors who placed him on the front fender of their automobile and attempted to carry him back to their home where police were being summoned.

Kendrick and Allred reported that McNeill fought and bit them during the ride when he tried to escape three times and was critically shot the third time by Allred after he ran some 30 yards and failed to halt.

It was the second purse snatching case in the neighborhood within the past week. Police have charged McNeill with robbery.

# Police Shoot Negro During Chase After Grocery Is Robbed

## Man Wounded In Ankle After Ignoring Command To Halt, Say Officers

The crack of pistols broke the early morning stillness about a grocery at 1801 Eighth Avenue, North, today, when several police officers fired on a Negro identified as Arthur Lee Cochran, 36, whom they accuse of burglarizing the store.

The Negro was the fourth to be shot in the Birmingham district in the last few days.

Officers Jamie Moore, W. C. Garrison, Charles Stevens, W. H. White and Special Officer Joe Wheeler, in a report to Police Chief T. A. Riley, said they answered a burglary call at the store and found a large plate glass window broken. They said the Negro jumped from the interior of the store and began running south on Eighteenth Street.

The officers reported that, when the Negro disregarded several shouts, they fired at him, one of the bullets taking effect in his left ankle, bringing him to a stop.

The wounded prisoner was taken to Hillman Hospital and admitted. Detectives Charles Pierce and Ben Walker began an immediate investigation of the shooting and said they would obtain a warrant today charging the Negro with burglary.

Police fingerprint records reveal the Negro was convicted in 1936 of burglarizing the same store and sentenced to three years in Kilby Prison. He was released on "good time" after serving 26 months of his term, according to police records.

Determined to break up a wave of bold burglaries in the Birmingham district in recent weeks, the young officers on the morning police shift, most of whom are expert marksmen, shot a Negro to death in Woodlawn recently, when he failed to heed their commands to halt after he had burglarized two filling stations in that section, being caught in the second one, according to police records.

Another Negro was shot and critically wounded in Powderly last

week by residents of that section after he was alleged to have knocked down a woman in front of her residence and snatched her purse.

Last Saturday morning a Negro was shot to death while stealing chickens in the Powderly section by a resident there armed with a shotgun, according to police records.

Miss Mildred Lightsey, of 1109 South Twenty-Second Street, reported to police last night an unknown Negro snatched her purse containing a pair of \$25 eye glasses, keys, \$2 in money, fountain pen and personal papers, in front of her residence. Officers Tucker and Higgins and City Detectives Goad and Propst investigated.

Police today were investigating a complaint made by P. H. Tarry, 1409 North Fifteenth Street, that he had been flim flammed of his watch and chain by a man who approached him yesterday at the entrance to the City Hall, engaged him in conversation and offered to get him a job as a "bus driver." The victim said the glib talking prospective "employer" after taking the victim's watch and chain as evidence of "good faith" promised to meet him in front of a building across the street from the City Hall, but failed to return.

# Shotgun Stolen 12 Years Ago Found By City Detectives

C. J. Sweat, of 1160 Eleventh Avenue South, was a happy man today, thanks to the diligence and persistence of City Detectives Appling and Helton in recovering a prized shotgun stolen 12 years ago from Mr. Sweat and returning it to him.

A contractor at the time and fond of hunting, Mr. Sweat bought the shotgun brand new some 20 years ago. He recalled this morning. He made frequent hunting trips with it and finally got so good with the gun he could bring down a squirrel from the tallest treetop.

One night, about 12 years ago, Mr. Sweat loaned the shotgun to a Negro nightwatchman he had employed. The gun was stolen from the Negro employe and after efforts to locate it through police failed the owner gave up all hope of ever recovering the weapon.

Several days ago, however, Detectives Appling and Helton assigned to the pawnshop detail, were checking the records turned in daily by pawnbrokers and noticed a gun answering the description of the one stolen from Mr. Sweat had been pawned by a Negro here.

The detectives soon ascertained it was the same gun. Then they began a search for Mr. Sweat, who had moved several times since reporting the theft. Finally yesterday Detectives Appling and Helton located the owner, of the stolen gun and this morning it was returned to him.



## ALABAMA

**ROOFTOP BURGLAR WINGED**—In the latest of a series of rooftop burglaries which have occurred in the city during the last week, police this morning captured two Negro youths with the goods on them after the Webb Drug Store, at 1121 North Nineteenth Street, had been robbed. One of the Negroes, identified as Fred Alonzo, alias Fred Fillmore, by officers, attempted to escape over the roof of an adjoining house.

He was shot in the leg by one of the patrolmen just as he neared the top of the gable, as shown by the diagram above.

Below, the hole in the drug store roof through which the two made their entrance.

## Police Nab Two Negro Boys In Robbery Of Drug Store

### One Of Youthful Burglars Fleeing Over Adjoining Roof Wounded By Bullet In Leg

Police this morning pounced on two Negro youths in the process of burglarizing the Webb Drug Store, at 1121 North Nineteenth Street, captured one of the men inside the store and winged the other in the leg as he attempted to escape across an adjoining rooftop.

City Detectives Brown and Bat-chelder, who investigated, said both Negroes had admitted entering the drug store by knocking a hole in the roof. A passerby saw them in the store and called police headquarters.

In possession of the two Negroes at time of their arrest were cosmetics, chewing gum and three boxes of cigars valued at a total of \$154.

One of the Negroes, identified by police records as Fred Alonzo, alias Fred Fillmore, 17, of 1421½ Sixth Alley, North, on arrival of police at the drug store attempted to escape by climbing onto an adjoining roof and was shot in the left leg when he ignored repeated com-

mands of police to stop. He was taken to Hillman Hospital where attendants said the wound was not dangerous.

The other Negro, Ulysses Young, 17, of 2120 Sixth Alley, North, was caught inside the store, according to the two detectives, who placed the pair in jail on burglary and grand larceny charges.

In taking their loot from the shelves of the drug store the pair of Negro burglars knocked a large amount of merchandise on the floor and then apparently kicked it under the counter, the detectives said. Piles of merchandise were found lying on the floor under the counters all through the store, some of it damaged by having been roughly knocked from the shelf, according to the store operators.

R. E. McLester, 1420 Graymont Avenue, operator of a combined meat market and grocery, reported theft of 10 cartons of cigarettes valued at \$20 and \$3 by a burglar who entered through a side window.

## Negro Bandit Armed With Derringer Pulls Slick Holdup Here

### Two 'Witnesses' Unaware Filling Station Robbed By Fast-Working Thief

A Negro, armed with a derringer pistol, Friday night executed a robbery at a Mutual Oil Company filling station, 830 Third Avenue, North, with such deftness and dispatch that two innocent Negroes standing in front of the station didn't realize a robbery was taking place.

John Streetman, operator of the

station, said the Negro "threw" a pistol on him as he stood outside the station and commanded him to "come in the back, I want to talk to you." Streetman said the Negro pushed him back into the shadows and went through his pockets while the two Negroes were standing only a few feet away talking.

After going through Streetman's pockets, the Negro, according to investigating officers, told the gas station operator to go into the station and get the receipts from the cash drawer. He took \$18.

The other two Negroes, seeing at last what was going on, ran down the street to call police. While they were gone the Negro marched Streetman more than 300 feet down a back alley and suddenly darted into the shadows between two Negro houses.

The Negro was described as weighing 160 pounds, about 30 years old and about five feet, six inches in height. He was wearing a dark tweed cap, blue jumper and brown trousers.

Friday afternoon, Spurgeon Hill, truck driver for C. D. Kenney Coffee Company, reported to police three Negroes "slugged" him and robbed him when he left his truck to make a delivery at Seventh Avenue and Thirty-Second Street, South.

Hill told Detective J. R. Phillips he was slugged on the right side of his head and that when he regained consciousness \$9 in currency had been taken from his pocket. The Negroes overlooked at least \$150 in currency which Hill said he had placed in the dashboard compartment several stops before he was robbed. Hill's injury was not serious.

## Two Negroes Held In Autauga Assault

SELMA, Ala.—Two Negroes had confessed today, according to Sheriff Allen Stewart, of Prattville, that they were offered a dollar by another Negro for the shooting of W. C. Ham, rolling store operator, near Autaugaville Saturday night.

Placed in jail on charges of assault with intent to murder, the three Negroes were identified by Sheriff Stewart as David Underwood, 19; Earl Watts, 18, and John Underwood, 20, who was captured Saturday after being tracked down by bloodhounds from Kilby Prison.

The two Underwood boys confessed they were offered a dollar by Willis for shooting the store operator, the sheriff said. Ham was shot as he stepped into the cab of his truck after selling the two Negroes soft drinks, he told officers.

## Supreme Court Stays Negro's Electrocution

MONTGOMERY, Ala. —(AP)—The U. S. Supreme Court today ordered that the electrocution of William Clark, Limestone County Negro convicted of rape, be stayed pending a decision upon his appeal.

Clark's conviction was upheld by the state Supreme Court and he originally was scheduled to die in the Kilby Prison chair Aug. 30.

The governor's office has been informed that L. C. Bell and Joe Vernon, Jefferson County Negroes convicted of killing Bennie Montgomery, would appeal to the U. S. Supreme Court also. Like Clark, they are scheduled to die Aug. 30, but an appeal automatically would stay execution.



## Inmates Of Fairfield Jail Are Attacked

Two Negroes, Ray Hardy, of Fairfield, and Joe Williams, of Westfield, suffered stab wounds last night in the Fairfield City Jail after being attacked by another Negro armed with a knife, who had just been placed in the jail on a charge of drunkenness, according to Fairfield police.

Fairfield Officers Palmer and Weeks said they arrested a Negro identified by them as Henry Bragg, 700 Eighth Avenue, North, in Fairfield last night and, after searching him, placed him in the Fairfield Jail.

After being placed in jail, the officers said, the Negro removed a knife from his shoe and attacked Hardy and Williams, the other two Negroes who were in the same cell block.

Both the wounded Negroes were given first aid treatment at Hillman Hospital and returned to the Fairfield Jail. Additional charges of assault with a weapon were placed against their assailant, the officers said.

## Three Negroes Jailed For Policy Rackets

Three Negroes were in jail Friday after a court hearing Wednesday evening on charges of operating a policy slip, known as "New York," which has been operating for the past 30 days. Each man drew a fine of \$100 and six months in jail.

City Detectives Abe Goldstein and D. S. Houston, who handled the case, testified that the Negroes had in their possession numerous policy slips and a "dream book" in connection with the Negroes in the Southside area.

Winning policy slip tickets of current dates were in the possession of the three Negroes when they were arrested by the officers.

The Negroes were listed as Charlie Taylor, 52, of 2920 Sixth Avenue, South; Essie Mae Sharpe, 35, of 2707 Third Avenue, South, and Robert London, 56, of 2709 Third Avenue, South.

The three were brought before City Recorder Martin, who lectured them thoroughly before imposing the sentence.

## A \$400 Ring For Just 35 Cents!

### Gadsden Negro Nearly Collapses When Police Tell Him Real Value Of Platinum Article

SEP 27 1940

Informed by police that a ring he had purchased seven weeks ago from a Negro for 35 cents was worth \$400, Patrick Cunningham, Gadsden Negro, nearly collapsed from shock Friday morning at the bus station.

City Detectives Jim Norrell and A. C. McGuire, who met Cunningham on arrival in Birmingham and recovered the ring — reportedly stolen Aug. 8 by a young Negroes from H. H. Feinberg and later sold to Cunningham via round-about method — said the Gadsden Negro almost toppled over into their arms.

Cunningham, they reported, said he bought the ring Aug. 10 at the bus station from a taxi driver who told him he had purchased it for 25 cents from another Negro and found that it wouldn't fit his ring finger.

Detectives said that neither Cunningham nor the bus driver apparently realized that the ring was of platinum set with a large diamond. Cunningham, they added, told them that he purchased the ring believing it was of metal and the stone white glass and had thought nothing more about the ring till surprised by police.

The ring and a ladies' gold wrist watch were stolen from the home of Mr. Feinberg, a Birmingham business man, at 1428 Fifteenth Avenue, South. Police said the wrist watch was recovered and restored to the owner several weeks ago and that the watch recovery led to the final recovery of the ring.

Officers said Hugh Downey, 17, and Morris Smith, 12, both Negroes, were arrested two days after the burglary when they traced the stolen watch which they had sold to another person.

Downey is in the County Jail awaiting trial on burglary and grand larceny charges and Smith is in custody of the juvenile court officers said.

Detectives said that they traced the ring to the bus station and added that they were able to identify Cunningham from a description given by another Negro who witnessed the ring sale.

No charges were placed against Cunningham.

## Negro Arraigned In Fatal Shooting Of Youth

OCT 6 1940

Trial of Robert L. Strickland, 23-year-old Negro, on a charge of murder in the fatal shooting of a white youth, was one of the capital cases docketed for the week of Oct. 14 when defendants were arraigned Saturday before Circuit Judge J. Q. Smith.

Strickland is charged with shooting Thomas Alexander Elliott, 19, of 1621 North Twelfth Street, who died two weeks after he was shot with a rifle. The shooting on May

11 is said to have followed an altercation, in which rocks and bottles were thrown between the Negro, Thomas and several other white youths.

Also docketed for trial is the case of George B. Hollis, 23, of 1129 South Tenth Street, who is charged with robbing G. R. Early, maintenance engineer at West End Baptist Hospital, of \$650. George Cupp and Jimmy Sciro are charged with robbing Charles A. Smith, a soldier stationed at Barksdale Field, La., of an overcoat, knife and \$4.

Albert Johnson, alias Dick Adams, 22, and Bennie Wilson, 29, are to go to trial on a charge of robbing Verbos Cartee near his home, 900 North Thirty-Sixth Way, of a watch and motor car. The alleged robbery occurred more than three years ago and the two defendants were returned here recently from Brushy Mountain State Prison at Petros, Tenn., where they had served terms for burglary.

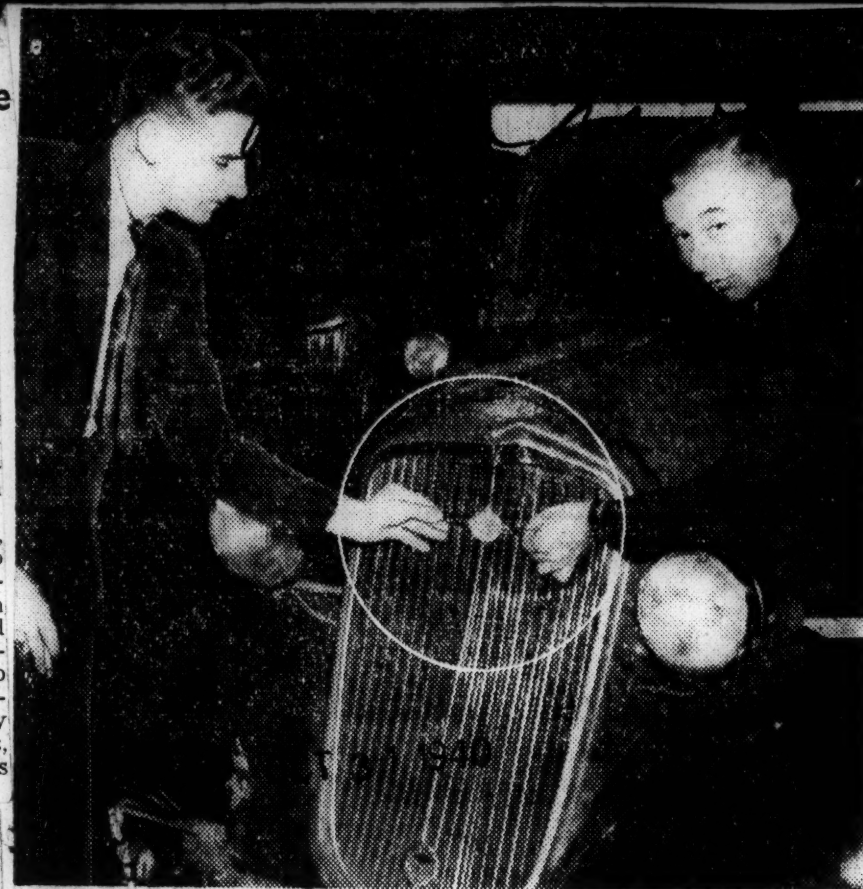
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**METAL BITS ARE CLUES**—Traffic Accident Investigating Officers Patterson (left, above) and Patillo (right) found two bits of metal at the scene of a fatal automobile accident Tuesday night. Wednesday night they made an arrest in the case and are seen here attempting to fit the broken pieces into the front of an automobile suspected of having been involved in the crash.

## Officers Trace Clue To Traffic Fatality And Youth Is Arrested

OCT 31 1940

Two small bits of metal found at the scene of a fatal traffic accident had led to the arrest Thursday of Marvin Pridmore, 19, of 923 North Thirtieth Street, who was charged with second degree murder.

The charges were brought by City Traffic Officers Patterson and Patillo, who first arrested Pridmore Wednesday night on assault and battery charges in connection with a fight near the scene of the traffic accident Tuesday night in which Emma Bass, Negro, was killed.

When the officers investigated the traffic accident they found two pieces of metal at the scene. They said the pieces fitted broken pieces on Pridmore's car.

The officers said Pridmore admitted he had been driving near the scene of the fatal crash. The officers said the driver did not stop after the accident.

Even as the traffic investigators announced solution to the death of the Negro woman, another traffic victim, Conroe W. Graham, insurance agent, of 620 South Fifty-Second Street, died shortly after 9 p.m. Wednesday at Hillman Hospital.

Mr. Graham, according to Traffic Investigator Carl Neill's reports, was injured last Saturday night in a collision at Sixteenth Street and Seventh Avenue, North. No charge was placed against the driver.

Death of Mr. Graham raised the city's traffic fatalities to 32, as compared with 47 for the entire year of 1939. The body of Mr. Graham was taken to Vice Funeral Home.

Robert Lee Rotton, of Center Point, Ala., suffered a possible rib fracture and injuries to his knee and chest in an auto accident Wednesday night at Twenty-Fourth Street and Third Avenue, North.

Two persons, Colecta Blanton, 58, of 1044 Fifth Place, North, and Henry Anthony, 52, of 1029 Mortimer Street, were treated at Hillman Hospital for injuries suffered when an auto in which they were riding struck a parked auto in the 500 block of St. Charles Street about 5:35 p.m. Wednesday.



# Jails Girl in South to Uphold 'White Supremacy'

SEP 14 1940

MONTGOMERY, Ala.—A most shameful case of the fascist-like terror practiced in the South was uncovered in Elmore County, Alabama, last week by an investigator from the Southern Negro Youth congress. Nora Wilson, an 18-year-old Negro girl, was committed without trial to six months labor in Kilby prison for striking a white woman.

"I wish I had killed her," Nora lashed at the jailkeeper when thrust into her cell.

"Now, you know," moaned Mrs. Wilson, her mother, "that wasn't good sense. Had I been put in jail, I would have said, 'Lord have mercy.'"

Nora was kept in the Wetumpka, Ala., jail under \$1,000 bond from July 19 to August 20 supposedly awaiting trial. Although no trial was held, yet Nora was sentenced for assault and battery.

The assault and battery was an altercation over six ears of corn. Mrs. Woodrum, a white woman, sometime employer of Nora, accused her of stealing the corn. Nora denied the charge. Mrs. Woodrum struck her. Nora hit back. Mrs. Woodrum called the sheriff and charged Nora with attempted murder. Later Mrs. Woodrum regretted having made the accusation. She admitted at the preliminary hearing held July 26 that Nora had not struck her with enough force to do any harm and she attempted to withdraw the charge, but the court officials would not let her.

"The Negroes in this county have got to understand that they can't strike a white person and get away with it," they told Nora's mother. They boasted around the court house that white supremacy must be maintained.

## Michigan's Old Man

Says No To Alabama

LANSING, MICH., Sept. 23.—Gov. Dickinson today denied a request by Alabama authorities for extradition of Nixon Moore, Detroit negro, accused of robbing a railroad detective in Alabama 13 years ago.

Dickinson said the attorney general's office had investigated the charge and found Moore "had no intent to rob when accosted by the special officer." The Governor said Moore, now employed in a Detroit automobile factory, had been "a law-abiding citizen in this State for 11 years."

## Barracks Will House Kilby Negro Trustees

MONTGOMERY, Ala. (AP)—Plans for construction of a barracks outside the walls of Kilby Prison to house Negro trustees engaged as servants in the 20-odd state buildings in Montgomery, were announced Monday by Gov. Dixon.

The governor said it was deemed necessary to keep the capitol convict servants apart from the other inmates of Kilby because they were constantly intimidated by other prisoners. He explained that drug addict at Kilby frequently demanded that the trustees obtain dope for them under threat of violence.

There are now 116 Negro trustees employed as servants in capitol buildings. In order to obtain funds for the cost of constructing the barracks it has been decided to require each department to pay a special fund of \$25 a month for each convict-servant.

Birmingham, Ala. News  
September 6, 1940

## Police Charge Group With Series Of Thefts At Negro Convention

Man Jailed In Ensley Burglaries; Bandits Fail In Filling Station Holdup

As city detectives worked unceasingly to clear up a series of daring burglaries in the Ensley district and operations of a Negro "pickpocket ring" at the Municipal Auditorium, an armed holdup was attempted last night at an East Thomas filling station and two purse snatchings along with numerous additional burglaries were reported to police.

Three bandits in an auto bearing a Georgia license tag drove up to the Stewart Service Station at Twenty-First Street and Arkadelphia Road shortly before midnight and ordered soft drinks and cakes while Robert Thompson, night manager, put \$3 worth of gasoline in their car, according to police reports.

After the gas tank had been filled, two of the men stepped out of the machine and one of them suddenly drew a pistol, forcing the filling station attendant into the men's rest room, police said.

Before the bandits could loot the fill, however, another auto drove into the station and the three bandits jumped into their auto and sped from the scene. Mr. Thompson fired several shots at the bandit car.

A Negro youth made an unsuccessful attempt last night to snatch the purse of Mrs. J. W. Ogletree, 308 Eleventh Street, Southwest, as she was walking with her daughter, Mrs. J. W. Black, in the 900 block of Cotton Avenue.

Officers Garrison and Moore early this morning recovered a pocketbook belonging to Anna C. Cole, Negro woman, of New York, after the purse had been snatched last night at Sixteenth Street and Fourth Avenue, North. The officers said the purse-snatched threw the pocketbook down when a number of Negroes began to chase him.

City Detectives Grover Gilliland and Henry Weir had a number of pocketbooks today, some of them containing money, which the officers said they recovered from a group of Negroes placed in jail in connection with a series of pickpocket thefts at the auditorium during the National Negro Baptist Convention in session here.

ing the National Negro Baptist Convention in session here.

A man identified as Carl Edward Marlow, 30, of 2105 Avenue I, Ensley, has admitted having committed so many burglaries in the Ensley he "couldn't remember them all," city detectives said today, as they worked to clear up some 15 burglaries in that section.

The detectives dubbed Marlow the "bicycle burglar" since they said he used a bicycle to transport him to and from the scenes of his alleged crimes. At time of his arrest, according to officers, Marlow had the bicycle basket filled with stolen articles.

A Negro identified on hospital records as Clemmie Ramsay, 28, of 1625 Third Avenue, South, was recovering today from a bullet wound in the hip inflicted at noon yesterday by Radio Patrol Officer Sam Roberts, who said the Negro had ignored his repeated commands to stop.

Birmingham, Ala. News  
September 11, 1940

## Thief Steals Musical Instruments Worth \$310

A thief with a yen for music invaded the Council School, a city Negro institution at 1400 Avenue M, Ensley, last night and carted off musical instruments valued at \$310. In the loot were two gold-pated trombones and four trumpets.

Bold burglars who broke a hole in the rear wall at the Hill Grocery Store located at 8248 Second Avenue, South, apparently were frightened away before they could gather up any loot. A preliminary check of the store showed nothing missing.

O. L. Mims, Jr., of 3004 Pike Avenue, reported a burglar who picked the lock on his front door entered his residence and took clothes valued at \$53.

Enfonia, Ala. Tribune  
October 8, 1940

## An Injustice

A group of Houston county negroes recently brought to the attention of the entire state a condition about which something should be done. They presented to the law enforcement officials of the county a petition deploring the tendency of courts and juries to be lenient toward negroes accused of crimes against members of their own race. They urge strict prosecution where guilt was proved.

The point the negroes made in the same petition is well taken. There is a tendency, they said, among white juries in this section to accept casually crimes committed by negroes against negroes. As the petition pointed out, such an attitude is an injustice to negroes and is bound to make for poor race relations and to react unfortunately on the broad question of crime.

The action of the Houston negroes merits the approval of all right-thinking Southerners. To refer to a negro murder as "just another negro killing" is to bring law into disrepute and is a serious injustice to those members of the negro race who pride themselves upon their regard for the law.

Negro leaders of the South are striving earnestly to educate members of their race to obey the law and to thereby contribute their part toward the protection of society. To wink at crimes negroes commit against negroes is to deter them in their high-minded purpose. — Lee County Bulletin.



[illegible]





**WOMEN IN PRISON**—Presenting a special problem for the administrators of the state's prison system are the handful of women who stray from the "straight and narrow" and wind up in the hands of the law. These women, four Negroes for every white person, are cloistered in old tumbling-down Wetumpka Prison, a view of the inside court of which is shown at top left above.

At right top, a view inside one of the "dormitories" showing the neatly-kept beds, the pictures on the wall and personal trinkets

**Red Brick Wall At Wetumpka**

**Shuts In 379 Law Offenders**

# Here Those Of Gentler Sex, Transgressors Against Society, Pay Their Debt To State

(This is the third in a series of five articles about Alabama prisons. It deals with the women prisoners and how they live in the ancient Bastille at Wetumpka. Other stories in the series will appear in the next issues of The News.)

BY GEORGE NAGEL  
Birmingham News State Editor

On the edge of Wetumpka, be-walk out of the warden's office in  
hind high, century-old red bricknew dress of a railroad ticket home  
walls are incarcerated Alabama sand 10 67 birds clasped in their  
319 current state women convicts, hands But walk after week and month  
Sent up on charges ranging from "discrepancy" to first-degree murder

which the women gather about them. The little table and pictures shown here belong to a prisoner serving a life sentence.

Left below, Warden Ike Weldon sitting at the desk in his office. Frequently Warden Weldon umpires the women's baseball games and sometimes pitches for both teams. Kind, considerate, he is well liked by all the prisoners.

Right below, a view of the front gate. The prison was built in

**LIFE AT WETUMPKA** — Every woman at Wetumpka Prison has a certain job to do every day. She

1638 and was to be soon replaced by a new modern prison on a nearby hill after month new ones arrive to take. WOMEN IN CRIME—Of the 31 men the places of those leaving, giving women in Wetumpka, 147 are there in the prison an average population of because they had a part in taking some 16 score women who are un- somebody's life. Their crimes range from first degree murder to the lesser degrees of able to see eye with society and its rules. *Wetumpka* and homicide. One was convicted of

5 The work is assigned on the task basis. When a prisoner has finished the specified task, she has the rest of the day to herself. Most finish by noon.

While the undersheriff was handling of normal women has always been a problem, another way presented man with one of those just as vicious. his most discouraging problems, to act as just as vicious. Warden like Weldon falls the time for highway robbery, burglary more difficult job of handling these are arson and other long-time viola whose normal behavior patterns are aton and other long-time viola further complicated by abnormal lions, but not all.

Many of the women at Wetump are serving what is known as

arranged around the walls and in lines through the center of the room. *Stomped* There is hardly a back-to-the-bed wall space that is not plastered with pictures, trinkets or little personal

Motorists passing along the new "short terms"—county prisoners sent to the Alabama Highway Home for Life, for lesser crimes such as often glance at the crumbling old down for less than a year. The walls—peer through the broad wire-fencing, drunkenness and especial gates and wonder about these "vagran-ty." At present, only nine women they see moving about the prison. In Alabama are serving life sentences inside court.

What are they like? What are their likes? Many of the prisoners are repeat offenders, being sent up time and time again for the same type of offense and how do they live?

Ruffled edge curtains cover the cold steel bars in the windows all ways. The short-termers are placed at one end of the dormitory and the long-termers in the other. They all seem to take a feminine pride in keeping the small space allotted to them in perfect order and arrange-

According to Warden "Majors" they have one woman from an Eastern Alabama county who is now serving her eighth sentence on "vag" convictions.

And the age of these women—th average is between 22 and 24 years.

\*\*\*

MAN'S "SPARE RIBS"—Em broidered on a small square pillow that lies on one of the inmate's bed is the following:

"There is so much good in the worst of us,  
And so much bad in the best of us—  
That it hardly behaves any of us  
To talk about the rest of us."

This expresses, in one sense, what the women prisoners think. For the most part, they are sorry for their crimes. Few are sour on society for the way it has treated them. They laugh, joke and cry together—all confident that when they once get out they'll never come back. They discuss their crimes with each other and with the prison authorities at first unashamed—then hesitantly.

"I had never had any dealings with the courts before," one of the women told me. "When the judge said life, I thought that was just what he meant. So when I came down here, I came with the idea that everything was lost anyway—so what was the use?"

their meals are served in the current prison dining room and a small hospital is maintained inside the walls to care for the sick and ailing. When they are not working, they stroll around the large well-kept inner court, read books, do needlework or draw pictures. They are allowed to write one letter a week to their families or boyfriends. Visitors may come by to see them every third Sunday. Newly-organized softball teams form the

SEP 24 1940

"PRISONER ESCAPES"—High on the list of prison authorities' worry chart is the matter of prison-breakers. With the one desire of "freedom" always before the prisoners' mind, the problem of keeping them within the walls is a difficult one at most penal institutions—but not so for Wetumpka's Warden Weldon. "As far as I know," he declared, "we've never had a woman try to go over the wall. I won't say that some have never run, but on a whole we have very little trouble with the women trying to escape."

SEP 24 1940

Most of the Wetumpka breaks, he explained, occur in the fields. The women are scattered out and it is sometimes easy for them to slip out of view of the guard and make a run for it. While all the guards carry pistols, they are never used on the women. "They are principally to keep passing motorists from picking one up," the warden declared.

For an attempted escape, a prisoner is degraded to "stripes" and generally sentenced to a term in solitary confinement where she sits in the cell for some 14 days living on bread and water and thinking about her conduct.

SEP 24 1940

"This generally is sufficient impression to break up the desire to escape," the warden explained. So successfully have the authorities at Wetumpka been in holding down escapes, only one guard is stationed in the prison grounds at night "and he there as much to protect the prisoners as anything else," the warden smiled.



## Negro Boys Must Pay Two Boys Identified Maximum Penalties In Fatal Fire Alarm For Fatal False Call

### Father Of One Receives Contempt Sentence As Evidence 'Backfires'

NOV 15 1940  
The false fire alarm that Hal-  
loween night cost the life of City  
Fireman J. T. Pearson brought the  
maximum penalty of \$100 fine and  
costs plus sentence of six months in  
jail to two Negro youths charged  
with turning in the alarm.  
Both defendants, R. V. Benning,  
19, and James Henry Garner, Jr.,  
17, had pleaded not guilty to the  
charges in Ensley Police Court  
Thursday, but testimony of two  
witnesses to the sounding of the  
alarm coupled with other evidence  
brought a conviction for the youths.

Drama was injected into the case  
when Garner's father, James Henry  
Garner Sr., introduced to Judge  
Olive Hall's Ensley Police Court a  
family Bible with which he at-  
tempted to prove his son's age was  
actually less than 16 years.

But after a comparison of the  
writing in the Bible—said to have  
been written nearly 16 years ago—  
with a sample of Garner's writing  
in court, Judge Hall decreed the  
evidence had backfired and held  
Garner in contempt of court.

The father was sentenced to 24  
hours in jail and fined \$10.

Fireman Pearson was killed Hal-  
loween night in Pratt City when the  
truck answering the false call col-  
lided with a locomotive at a rail-  
road crossing.

Asst. City Atty. Ralph Parker  
produced two Negro boys—Charles  
Jasper, 13, and John Jones, 14—who  
testified they saw Benning and  
Garner pull the alarm that was to  
be the last Firefighter Pearson was  
to answer.

Defense charges that the Negro  
defendants had been abused and  
threatened if they did not confess  
were denied by Ensley Officers  
Rouse and Casey, Police Capt. Tor-  
English, Sergt. Ben Walker and  
City Detectives J. W. McFarland.

Recorder Hall termed the turning  
in of false alarms was "no mere  
prank but a vicious and malicious  
practice."

Many city firemen and spectators  
heard the trial proceedings.

Two teen age Negro boys took the  
stand in Ensley Police Court Thurs-  
day and pointed accusing fingers at  
two other Negro youths, defendants  
in a case involving a Halloween  
night false fire alarm which re-  
sulted in the death of J. T. Pearson,  
city fireman attached to the Pratt  
City station.

The Negro boys, identified in  
court as Charles Jasper, 13, and  
John Jones, 14, told a straightfor-  
ward story of having seen the two  
defendants, R. V. Benning, 19, and  
John Henry Garner, 17, both of  
Frenchtown, near Ensley, walk  
away from the fire alarm box as  
the buzzing sound of the alarm be-  
gan. It was in answering a false fire  
alarm from Station No. 18, Pratt  
City, that the fire truck on which  
Pearson was standing collided with  
a railroad engine and he was  
knocked to the ground and killed.

### Negro Draws Heavy Sentence In Chase

NOV 20 1940  
Declaring from the bench that  
"this was a case in which the offi-  
cer would have been perfectly justi-  
fied in shooting the defendant down  
in self defense," City Recorder Hen-  
ry Martin Tuesday, in Police Court,  
commended Traffic Officer Carl  
Neill for his "cool and quick judg-  
ment."

The case was that of John Mar-  
tin, 4511 Georgia Road, arrested Sat-  
urday night, after a chase by the of-  
ficer, on charges of drunken and  
reckless driving, leaving the scene  
of an accident, violation of the state  
firearms act and resisting arrest.

The Negro was fined a total of  
\$200 and costs and sentenced to a  
year in jail after Judge Martin  
merged the charges into two sepa-  
rate cases and gave the defendant  
the "limit" in each.

Officer Neill testified that when  
he finally caught the Negro after a  
lengthy chase by auto and on foot  
by the officer, a 15-year-old boy on  
a bicycle, and the owner of the car  
were denied by Ensley Officers  
Rouse and Casey, Police Capt. Tor-  
English, Sergt. Ben Walker and  
City Detectives J. W. McFarland.  
fore the Negro could fire at either  
the officer or the boy standing near  
him, the officer drew his own pis-  
tol and struck the Negro over the  
head, knocking him down.

All witnesses confirmed the offi-  
cer's testimony.

## Convicts Still Know Rackets

NOV 27 1940  
Another Case Bobs Up In Kilby; Here Is  
How They Get Pocketful Of Folding Money

MONTGOMERY, Ala. —(P)— The  
old "missing persons racket" has  
bopped up again at Kilby Prison,  
but Col. Willia mE. Person said  
quick action had been taken to  
scotch the practice.

Here's how the racket works, as  
described by Col. Person, director  
of the State Department of Correc-  
tions and Institutions:

A convict, with idle time on his  
hands, gets a copy of a newspaper  
and studies the missing persons  
column. He picks out a likely-look-  
ing ad that reads something like  
this:

"We want information on the  
whereabouts of Major Doe, last seen  
as a baseball player in Cleveland.  
—Sue Willie Doe, Cohen Avenue,  
Birmingham, Ala." (Names ficti-  
tious).

To this woman the convict writes  
that he is "Major Doe," in prison  
and out of circulation for some  
time, which is the biggest reason  
she hasn't seen him in some time.

However, his sentence is almost  
up and he needs \$20 for train fare  
home, or \$15 so a lawyer can be  
hired, or \$10 for a suit so he won't  
have to travel in stripes.

The anxious relative sends the  
money—and the ingenious convict  
has a pocketful of spending money.  
Col. Person said the latest  
manifestation of the dodge was dis-  
covered because a capitol trusty  
used the name of an innocent high-  
way department trusty as a dummy.  
Lee Jones, the dummy, received  
a letter from Pennsylvania contain-  
ing \$25 and turned it over to How-  
ard Thames, capitol custodian.

The Pennsylvania woman, to  
whom a letter was written telling  
her she had been duped, refused to  
believe it.

"She wrote back to say she knows  
he man is in Kilby, has inside in-  
formation," Col. Person said.

The two guilty Negroes who  
planned the hoax are now in soli-  
ary, Person added.

"I started to turn them over to  
federal authorities," he said. "But  
what's the use? One is serving life  
and the other has 50 years to serve."

## MOTORMAN SHOT AND ROBBED BY NEGRO GUNMAN

Victim Drives Car Part  
Of Way Back To Barn  
Despite Wound

NOV 27 1940

A Negro bandit early Tuesday  
night shot Motorman-Conductor T.  
J. Jones at the end of the Ensley-  
Fairfield streetcar line and robbed  
him of an undetermined amount of  
money, Jones reported to Fairfield  
police officers.

Birmingham Electric Company  
officials at the car barn reported  
Jones, wounded in the right hip  
drove back toward Birmingham as  
far as Fairview, where he was taken  
to St. Vincent's Hospital.

Fairfield Officers W. R. Gunby  
and James Ward said they were  
told by Jones that the Negro ap-  
proached the car with a pistol and  
shot the victim, then robbed him.  
The assailant fled on foot toward  
Fairfield, the officers said they were  
told by Jones.

The officers said the shooting and  
robbery occurred near a car operat-  
ing on Ensley-Fairfield Line No.  
5 on Valley Road near Fifty-Third  
Street.

There were no passengers on the  
car at the time and the car had  
been stopped at the end of the line,  
the officers reported.

Jones' residence is 2312 Twenty-  
Sixth Street, West.

### Negro Pays For Slaying

DEC 14 1940

TUCKER STATE PRISON FARM,  
Ark. —(P)— James Dillard, 30-year-  
old Negro, was electrocuted by the  
state at dawn Friday for the slaying  
of Constable Joe Breedlove of Du-  
mas, last September. Breedlove  
was shot to death as he entered a  
Negro home on the outskirts of  
Dumas in search of a Negro for  
whom he held an assault warrant.  
Prison Warden Lee Hensley said  
Dillard admitted just before he was  
executed that he killed the officer



# DEC 10 1940 Negro Marauder Ransacks Rooms

A heavyset Negro wearing a cap pulled low over his eyes and apparently carrying some sort of blunt instrument stole into an apartment at 1910 Sixteenth Avenue, South, Monday night, slugged Miss Louise Deason, sister of Cecil Deason, solicitor of the County Court of Misdemeanors, and then ransacked the apartment while his victim lay prostrate on the floor.

Miss Deason, who lives in Bessemer and was visiting her sister, Mrs. Irl Cummings, said she was alone in the apartment when she heard a slight sound in the kitchen. She arose from her chair to investigate and when she stepped into the dining room she saw the dim figure of the intruder standing and waiting. Before she could scream, the Negro knocked her out with a blunt instrument.

While Miss Deason was unconscious, the Negro ransacked every room in the house scattering papers and articles over the floors, Mrs. Cummings reported, however, that as far as she could ascertain nothing was missing.

The Negro apparently gained entrance through the back door, as it was said to have been unlocked. Miss Deason, when she regained consciousness, called Cummings at a residence near by and then notified police.

Meanwhile, police intensified their warnings to residents to be doubly careful during the holiday season because of the presence of gifts in homes as well as extra money.



**SLUGGING VICTIM**—Miss Louise Deason (above), sister of Cecil Deason, solicitor of the County Court of Misdemeanors, was slugged by an unidentified Negro Monday night at 1910 Sixteenth Avenue, South.

# Policemen Win Gun Battle With Negro Convict Fugitive Discards Pistol After Buckshot Nick His Shoulder

After shooting it out with officers in a running gun battle here Saturday, a negro identified as Fred Brown, 30, an escaped convict from Atmore, threw down his gun and surrendered to Montgomery police.

Officers said Brown, who boasted he had escaped from penitentiaries on six occasions, failed to make good another boast, that he would not be captured this time alive.

Police received a tip that Brown, wanted for the spectacular holdup of a negro resort last Saturday night, was about to board a freight in the city yard.

The convict was first spotted by Detective Sergt. Clark Frizzle about 1 p.m. when Frizzle and the negro stooped simultaneously on opposite sides of a railroad car and found themselves looking at each other.

Frizzle said he told Brown to throw up his hands or he would shoot. Brown, he said, bolted and ran, and he fired after him shouting for him to stop.

Frizzle was joined in the chase by Detective Lieuts. Ruppenthal and Poindexter, and Detective Sergt. Cobb, who had been combing the yard for the negro.

Frizzle said Brown ran, dodging among the cars and shooting back, at first one detective and then another, as these, also dodging, became visible from time to time.

Near the end of the half-mile chase, Brown was struck by buckshot fired at a distance of 250 yards, Frizzle said. He said the shot only stung the fugitive and slightly nicked his shoulder at the long range.

He said at this point, the fugitive threw down his pistol and ducked into a stack of lumber near the old brick yard.

The negro surrendered meekly to Frizzle, who followed him into a hole in the lumber.

Officers said no fired cartridges were found in the discarded pistol, but that the gun smelled of freshly burned powder. The cylinder held three loaded cartridges, they said.

Brown, sentenced from Mobile for robbery, denied he had a part in the robbery of the negro gambling place on Chisholm Boulevard one week ago.

Detective Sergt. Louis Miller, who investigated the case, said Brown was identified by several eye-witnesses of the holdup.

Brown was accused of being the man who walked into the gambling house, produced a pistol and ordered a crowd of "skin game" participants

to line up facing one wall.

Miller said the negro then ordered them to back out one at a time and hand over their money. He said the bandit, working the crowd thus, had gotten about \$25 in change, and was leaving when he met the proprietor.

The proprietor, he said, was carrying \$14 in cash and a gallon of whisky, which the bandit also took over the barrel of his gun.

Brown was said to have been captured and sent back to prison by Detectives Cobb and Frizzle two months ago. Though he denied any knowledge of the recent robbery, he boasted he had escaped from prison six times.

He was charged with robbery.

# So White Man Who Shot and Killed Race Workman Gets 30 Years—Sullen and Defiant When Sentenced.

**DEC 28 1940**  
**CHARLOTTE, N. C., Dec. 26**—Enraged and defiant when he was sentenced to 30 years imprisonment, Wednesday, by Superior Court Judge Luther Hamilton, for the killing at a local filling station on December 3, of Jake D. Hunt, race man—Clifton C. Belk, recognizes no color line. I feel deep sorrow for this boy because he has had less of a chance in life than have many of his fellows, but whatever the cause, it now appears that he has a diabolical heart.

Belk went to Raleigh the following day, after his counsel had announced there would be no appeal—but he went there not to present a plea to the high court. The trip was made in the company of two policemen to whom he was handcuffed, and who committed him to State prison to begin serving his 30-year term for second degree murder.

Entering the filling station on the afternoon of December 3, in the taxi he was driving, Belk became involved in an altercation with Hunt who was employed there. Leaving the place, Belk

went to his home, obtained a .22-calibre rifle, returned, and shot Hunt to death in the street with the weapon. He claimed he had been attacked by Hunt with a knife and had shot him in self defense, but was unable to produce any witnesses or other evidence in support of the claim. On the contrary, the evidence was that Hunt was unarmed at the time.

The Mecklenburg grand jury returned an indictment against Belk charging him with first degree murder, but the jury found him guilty of murder in the second degree.

Pronouncing sentence, Judge Hamilton said: "There cannot be two brands of justice in North Carolina. The majesty of the law

# DETECTIVE FINED \$50 FOR CURSING COLORED WITNESS

**MOBILE, Ala., Dec. 12**—For cursing a colored witness who identified him as a bribe-taker, Joseph Vincent Connick, 62-year-old city detective, was fined in jail overnight and \$50 by District Judge McDuffie here last Tuesday.

The witness was William Hob-

"I guess I lost my head," the detective pleaded to the court, "but I have been sitting here day after day seeing these Negroes point me out—and when this Negro who I had never even seen before pointed me out, I guess I lost my head."

Connick is one of the 30 policemen being tried on charges of conspiring to violate the internal revenue law by acceptance of bootleg bribes.

# State Policemen Aid In Hunt For Slayer

**MONTEGOMERY, Ala., (P)**—Seven State Highway patrolmen were dispatched Monday to aid in a search in the hill country of Talladega County for a Negro sought in the shotgun slaying of Lee Shields and the attack on Shields' woman companion two weeks ago.

Chief T. W. Smith said the patrolmen were assisting a posse headed by Sheriff George Burke of Talladega County. He identified the suspect as a former convict.

Bloodhounds have been brought into the chase, Smith added.

Shields was slain Dec. 4 as he and his companion sat in a parked automobile near the Sylacauga-Talladega Highway. The woman told officers she was attacked by the slayer. Two white men were arrested for questioning in the case but later released.



## NINE NEGRO WORKERS FINED IN RELIEF CASE

### Defendants Accused Of Mak- ing False Applications

PINE BLUFF, Ark., Jan. 2.—(AP)—In the first case of its kind to be tried in Arkansas, Municipal Judge John E. Hooker today assessed individual fines of \$25, plus court costs and 30 days on the County Farm against nine negro industrial plant workers charged with making fraudulent statements in applications for state unemployment compensation benefits.

Assistant Prosecutor Carlton Harris and C. H. Gladden, field representative of the Unemployment Compensation Division of the State Department of Labor, in prosecuting the charges, alleged the defendants had illegally obtained compensation payments between August and November of 1939 as a result of falsely stating wages earned in applying for the benefits.

## POSSE AND OFFICERS

### SEEK NEGRO IN FIELD

*Commercial Appeal*  
Man Wanted For Wounding Of

Arkansas State Policeman

7-31-40  
HUNT NEAR COOTER, MO.

*Memphis, Tenn.*  
Patrolman Had Stopped Car

While Searching For Suspect  
Wanted For Theft Of Money  
At Osceola

Special to The Commercial Appeal  
BLYTHEVILLE, Ark., July 30.—Peace officers and armed citizens, numbering in the hundreds, guarded an area of approximately 200 acres just northeast of Cooter, Mo., Tuesday, believing they had cornered there a desperate negro fugitive, who, late Monday wounded Eddie B. David, Arkansas state policeman.

An airplane hummed overhead, its occupants seeking to spot the negro fugitive among the stalks of corn in a smaller field inside the

200 acres.

### Answers Description

The negro is said to have answered fully the description of a negro who overpowered the state patrolman and escaped with his gun after a wild fight in the officer's car on Highway 51 near Yabro.

Abner Ashcraft, Cooter town marshal, reported the negro, known to him as Roosevelt Jones, accosted him in front of his home this morning and drew a gun.

Ashcraft, who had been out during the night with a party searching for David's assailant, said the negro told him, "I know I'm the negro you're looking for, but you're not going to get me." He ordered Ashcraft to raise his hands and marched him down the road a short distance. Ashcraft refused to accompany the negro farther, and the negro disappeared into the field.

### Car With Negroes Stopped

David had stopped an old model car in which the negro and a negro woman were riding, and directed them to accompany him back to Blytheville. He had been warned to look out for a car bearing the description, and for a negro man, because of a theft of some money from another negro at Osceola.

The negro grabbed David's gun from its holster and fired three times before escaping.

One shot entered the left hand at the lower part of the thumb.

## Woman Held In Ark. Murder



LITTLE ROCK, Arkansas—A blood-stained \$50.00 bill changed by a filling station attendant resulted in the solution of one of Little Rock's most sensational murder crimes when Mrs. Mary Dinwiddle Friday, of 810 Pine Street, was arrested and charged with the murder of S. R. Davis, white night watchman. The woman has reputedly confessed to the slaying. She is shown above with Chief of Police J. H. Anderson of North Little Rock, who is examining a heavy iron tire tool used in the slaying of the 66-year old watchman.



# WHITE SLAVE MUST PAY MAN RING CHIEF THEY FLOGGED AWAITS TRIAL \$350 DAMAGES

Los Angeles Grand Jury Judge Reprimands Cops  
Hears Evidence In For Their Wanton And  
Montgomery Case Vicious Assault

LOS ANGELES—(ANP)— By LAWRENCE F. LaMAR  
With evidence pointing to the fact that he was at the head of the largest white slave ring that was ever uncovered in the nation's crime annals, the investigation of Charles Montgomery, unmistakably a Negro, by the grand jury, has grown more sensational after a week's run. Montgomery, 43, is part Portuguese but all his stooges and aides, both male and female, in the huge prostitution syndicate he is charged with having conducted are white.

Arrested with Montgomery last week after months of investigation and booked on pandering charges were his baby-faced stooge, Bristol Barret, 21 and Ann Forst, 35 operator of the Spring street clearing house for girls, first seduced then forced into prostitution by the leaders of the ring.

Others arrested and forced to testify were Brenda Allen Burns, a Texas girl who recently served in one of Montgomery's San Bernardino houses; John Farrell, Montgomery's special sweetheart and Donna Stewart.

LOS ANGELES — Two members of the Los Angeles police department must pay \$350 in damages to Louis Tippens, Whittier Cal. youth, whom they beat up last October. Judge Ray A. Brockman handed down this decision Wednesday, May 15, in Municipal court after listening to arguments in a civil cause against the officers.

Tippens, through his attorney, Walter L. Gordon Jr., told the courts of the events of last October 29, which led up to his having been beaten and hurled from the police car in which he had been placed by Officers David P. Connelly and C. L. Hawks.

He said he was picked up in front of Gene's place, operated by Eugene Sorall, because the officers thought him curly.

The cops then drove to the rear of a dry cleaning establishment and, according to the plaintiff, proceeded to beat him with two-foot clubs without cause. The police officers defended by Assistant City Attorney Hunt, denied they beat the man without cause. They said, Tippens was injured when he was overpowered after jumping from the police car and attempting to escape.

Judge Brockman became incensed at the officers' defense when their attorney tried to show that the plaintiff and several of his witnesses from the vicinity of the place of arrest, were of a delinquent sort.

The officers claimed that they stopped when they saw a large group of men in front of Gene's place and ordered them to disperse. The court wanted to know

why it was necessary to disperse the men since they were not committing any offense?

Plaintiff's attorney, Gordon, pointed out to the court the economic problems of the people of the district which made it impossible for them to maintain high class places of entertainment of the type maintained in other sections of the city. Judge Brockman said he was familiar with the situation and was disposed to believe the story recited by the plaintiff. After subjecting the two officers to a scathing reprimand, he awarded Tippens \$350 in damages. A group of local citizens are determined to bring the matter to the attention of the police trial board, urging that the officers be dismissed from the force.

*Slave Ring  
Defender 8-17-40  
Trial Still  
Chicago, Ill.  
Continues*

LOS ANGELES.—Except for a week-end recess last Saturday and Sunday, California's sensational and paradoxical trial, over a gigantic "white slave ring," is still going strong after more than three months.

The case that is making history in local police and legal circles is that of the white woman, Ann Forrester, known in the underworld as "the black widow," Charles Montgomery, colored alleged head of the ring, and Edith Johnson, colored, charged with being an accomplice.

Many witnesses have testified for the state, charging Montgomery and his procurors with combing the ranks of movie-struck white extra girls, hitch-hikers, and dance hall hostesses for subjects to place in his houses of prostitution that were included in a syndicate that stretched through all-southern California.

It is upon this evidence told to the grand jury last spring that the three defendants were charged with pandering. Much of the evidence came from confessions made by the girls themselves from the witness stand.



# Employer Must Pay \$750 For

# Kiss Stolen From Pretty Maid

## Domestic Rights Upheld By Court

By LAWRENCE F. LaMAR

LOS ANGELES, Calif.— (NPS) —In awarding judgment for \$750 to pretty Mrs. Juliette Smith, Superior Court Judge Carl A. Stutsman sitting in department 17 Thursday, is believed to have set a precedent protecting the rights of servants in the homes of the wealthy, of far reaching significance.

OCT 18 1940 The case on the surface, merely involved a "bit caressing" on the part of a wealthy employer to his employee during one of his moments of intoxicated joviality. However, lurking way beneath this "forcible act" lay a very definite principle which the court was urged to note, involved the "right" of the employee to the sanctity of their person, and to the "protection" of their morals, while in the employ of their wealthy employers.

Atty. Hugh McBeth, who guided the plaintiff's case throughout the length of two full court days, delved deep into the matter of the principles, both natural and moral, involved in order to have the basic rights of free individuals properly adjudicated.

### TELLS OF EMBRACE

Mrs. Juliette Smith, through her attorneys, Hugh and Goler McBeth, told the court sitting without a jury, that she had been in the employ of the Quentin Roland Smiths, in their executive Bel-Air estate home, 362 Copa De Oro Road, for the period of one year.

She testified that her work had been satisfactory over this period and that she had been discharged along with two other servants the day following her employer's having "forcibly and passionately" assaulted, and given two weeks' pay. The plaintiff said that previous to the incident, about two months earlier, the defendant employer

Lucille Raleigh, heiress to the huge Raleigh Food Products millions of Memphis, Tenn., in testifying in her husband's defense intimated that she suspected something was going on wrong, by stating she stood in her upstairs doorway waiting for him to come upstairs.

Courtroom attaches noted the coincidental discharging of all her colored employes the very next day after the asserted kissing incident with two weeks pay, with considerable significance. One of the witnesses for the plaintiff, Mrs. Carrie Allen, discharged maid, testified that the defense had offered to buy her stockings in order to "make a statement to what occurred." The other discharged colored maid, Elizabeth Oliver, testified to the manner of her discharge and the two weeks pay in advance.

all Atlanta Ga. Mrs. Smith, who resides with her husband at 1607 West 36th street, through her counsel prayed for the sum of \$5,000, for the "grave mental humiliation she suffered at the hands of her employer and to her future reputation."

Judge Stutsman, addressing his remarks especially to the defense counsel upbraided his wealthy client for his intoxicated act, and pointed out that servants in the homes of the wealthy have "feelings and rights" that ought to be protected, and the colored people and white, rich and poor, employer and employee all have the same rights under the law in this state.

OCT 18 1940 Counsel for the defendants, however, asked for a 10-day stay of execution on the judgment.

### 2 California Negroes Doomed For Slayings

OCT 22 1940 STOCKTON, CALIF., Oct. 21.—(AP)—Two negroes, convicted of the knife slaying of a young white couple April 28, were sentenced to die in the gas chamber at San Quentin prison.

Dewey Clark and Henry Jones, both of Fresno, were convicted of killing Nathan Chinchio, 21, of Stockton, and Dorcas Woofler, 17, of Tracy. The youth and the girl were accosted at night, apparently after they had parked their car. Their bodies were found in a weed patch, their hands tied and their throats slashed. It ap-

peared the girl had been attacked. Clark and Jones were arrested in Fresno several days later, after Chinchio's automobile had been discovered there, abandoned. The negroes pleaded innocent, but were convicted last Wednesday. Judge Andrew Schottky passed sentence and denied a motion for a new trial.

### GRABBED HER ARMS

She said on that night her young and handsome employer came home from his club in an apparent intoxicated condition. In the hallway of the home, he grabbed her by the arms saying: "Come up to your room and make love. I like you." She said he then began to kiss her over her protest. Mrs. Quentin Roland Smith, social registrate wife of the defendant, who was before her marriage



# Negro Chief Of White Vice Syndicate Goes On Trial At Los Angeles, Calif.

*Defender - 7-20-40*  
*Chicago, Ill.*  
LOS ANGELES — Charles

Montgomery, named by local police the past spring as being head of a national vice syndicate dealing primarily in prostitution, was arraigned before Judge Clarence L. Kincaid in Superior court, Monday to stand trial on charges of criminal conspiracy and pandering.

The syndicate, almost exclusively white, was uncovered last March when Brenda A. Burns and Joar Farrell, both white, led police in a raid on downtown headquarters of the gang after Bristol Barret, white, one of Montgomery's lieutenants, is said to have attempted luring the girls into lives of prostitution.

The raid brought to light a highly organized local set-up under supervision of Ann Forst, white, allegedly another of Montgomery's aids. It was Miss Forst, known as the "Black Widow," who, police said, assigned the girls to their nefarious duties throughout the city.

Other girls expected to testify for the state regarding how they were inveigled into the degrading profession and systematically assigned to various houses of assignation are now in technical custody of District Attorneys Don Avery and Marcus Brandler.

Women who are expected to take the stand later this week are Maxine Rayle, Helen Smith, Dolly Dupree, Helen Reed and Edith Johnson. The last two named are Negroes. Miss Johnson was employed in a San Bernadino bawdy house operated by the gang.

According to statements made by still another girl, Pauline Skevenski, under questioning at police headquarters early this week, appointments for "hostesses" were made in advance from any one of numerous syndicate branch offices.

Through this arrangement the girls either received "dates" in their hotel rooms or were sent to keep rendezvous with the clients, Miss Skevenski revealed. "Fees" charged to the men patrons for such serv-

ices, she said, ranged from \$2 to \$20. "A girl's earnings may range from \$30 to \$500 per week," the woman said. The fees are split fifty-fifty with the "Black Widow," who in turn submits the weekly "take" to Montgomery or one of his lieutenants.

Court action during earlier part of the week was confined to the polling of prospective jurors. The actual trial is expected to get underway about Thursday.

Tim Tullis, another of Montgomery's chiefs, pleaded guilty to having managed some of the "girls" for the syndicate. Tullis' hearing on a plea for probation will be held August 1.

According to statements from the men, police officers did not appear until the battle was over. Late at the Santa Monica police station the two Negroes assertedly identified the man who struck Pegg with a baseball bat. He was released without charges being filed against him.

Grand jury investigation of the August 25 riot, which centered about a Pleasant Hill Baptist church excursion, is now pending.

## Police Release Rowdies Despite Identification By Four Victims

LOS ANGELES — Fearing that serious trouble is in the offing as Santa Monica police ignore duties, local citizens are demanding immediate action. OCT 5 1940

Ocean Park amusement area, fast becoming California's hottest interracial sore spot, produced another disturbance Tuesday night when two Negro couples were involved in minor riot after epithets had been hurled at them.

Mr. and Mrs. Frank Pegg and Mr. and Mrs. Elijah Drew were central figures in the disorder, third major outbreak within two months. The two men assertedly ordered hot dogs at a beach concession. The

waiter "made some racial remark," and the two men were allegedly moving away from the stand when their wives approached. A bystander then passed a remark concerning Mrs. Pegg, it was stated. Her husband slapped the offender and the riot was on.

Drew, a pugilist, admitted "laying out" two whites during the scuffle. "It was all right," Drew said, "until they started coming at us in fifties. We gave up then and made our way to our car."

Pegg sustained severe injury about the head where he was struck with a baseball bat and his wife was cut across the wrist.

*Defender*  
**RESENT INSULT  
TWO BEAT OFF  
CHARGE  
MOB OF FIFTY**



# Heads Of Gigantic "White Slave Ring" Still On Trial

LOS ANGELES, Aug. 22—(ANP)—Except for a week-end recess last Saturday and Sunday, California's most sensational and paradoxical trial, over a gigantic "white slave ring," is still going strong after more than three months.

The case that is making new history in local police and legal circles is that of the white woman, known in the underworld as "the black widow"; Charles Montgomery, colored alleged head of the ring; and Edith Johnson, colored, charged with being an accomplice.

Many witnesses have testified for the State, charging Montgomery and his procurers with combing the ranks of movie-struck white extra girls, hitch-hikers and dance hall hostesses for subjects to place in his houses of prostitution that were included in a syndicate that stretched through all Southern California. It is upon this evidence told to the grand jury last spring that the three defendants were charged with pandering. Much of the evidence came from confessions made by the girls themselves from the witness stand.

The Johnson woman was in charge of the largest of Montgomery's San Bernardino houses, according to police.

Last Friday's session was marked by the completion just before recess time of a lengthy and very vehement argument for conviction by Deputy District Attorney Marcus Brandier, and defense arguments by Paul Hornaday and Alvin Johnson.

They were to be followed upon resumption of the hearing by George Stahlman for the defense and Deputy District Attorney Don Avery for the prosecution.

The real fireworks are yet to take place as soon as the trial is over, when Capt. George Centreras, chief of the sheriff's vice squad, gets a chance to step in and vent the growing indignation he has nursed ever since the "black widow" cast biting aspersions on his character from Judge Kincaid's witness stand.

She declared that Centreras solicited a bribe of \$2,500 from her to drop the case against her, but that she refused. However, the grand jury, before which Centreras hurriedly rushed for recourse and vindication, ordered him to wait until the trial has come to a final end.



# Federal Agents Arrest Janitor

*Handwritten: 3-17-40 Atlanta, Ga.*

## Charging Attempted Extortion

DENVER.—(ANP) — A 31-year-old janitor last week confessed attempted extortion of \$150 from a woman hotel operator with a note threatening "you might come up missing," according to E. J. Gebben, supervising federal bureau of investigating agent.

Gebben said that notes, sent through the mail to Mrs. Nellie B. Groome, proprietor of the York hotel here, were traced to the suspect, Leonard Patterson, a janitor for the hotel.

The letter directed Mrs. Groome to deliver \$150 to her janitor reading as follows: "Notice, Mrs. Groome. We demand you to give your Negro janitor \$150, have him deliver it to 28th and Market in eight hours time after you receive this note." Signed, "The Hand." The note was dated Nov. 21. 1939.



## Robbery Prisoners Flogged in Delaware; Backs Bared in Snow at Public Punishment

prisoner was taken back to the workhouse and examined by a physician. Although red welts rose on the backs of the men, Warden Wil-  
WILMINGTON, Del., March 16—Eight men were shackled to the whipping post and lashed with the cat-o-nine-tails today in the greatest mass flogging since this form of punishment was legalized by Delaware in 1771.

Warden Elwood H. Wilson, who personally is opposed to the whipping post, administered a total of eighty lashes—ten to each man—with the three-foot whip in a driving sleet and snow storm in the courtyard of the New Castle County workhouse. Eighty-five persons witnessed the floggings, which are open to the public.

Each bare-backed victim was taken from his cell and marched down a long narrow passageway by an armed guard. The prisoners were taken one at a time into the yard where the whipping post is situated. The post, in reality a stone wall with embedded steel rings, was constructed forty years ago.

With his face to the wall, the hands of each prisoner were fastened securely above his head to the steel rings. His guard stepped back and Warden Wilson applied the strokes firmly across the bare back.

Deputy Warden Thomas Wheatley counted off the number in a time-honored formula. Not once during the eighty lashes did Warden Wilson bend his elbow. Under the law a prisoner cannot be whipped further once a warden bends his elbow while administering the punishment.

Delaware is one of the few States in which this flogging punishment has survived.

Those whipped were Hugh McClelland, 32, and his brother Robert, 35; James Stewart, 21, and Walter Latham, 28, all white; and James Turner, 28; Lewis Brown, 36; Webster Stanford, 46, and Wilbert Wilson, 25, Negroes. All were convicted of robbery and hold-up charges and were given prison sentences in addition to the lashing.

None of the men cried out during the whippings, although all flinched at the blows.

His punishment completed, each

In addition to the lashes, the prisoners were sentenced to jail terms.

## Two Men, White Girl Arrested

By CLIFFORD W. JONES  
(Special Correspondent)

WILMINGTON, Del.—A weird, sensational plot to kidnap Dr. W. W. Goens, local physician, with blackmail as a motive, was foiled here, Saturday night, when the doctor escaped his would-be captors and spread the alarm.

Chief of Detectives Robert J. Wallace said Sunday that he had obtained a confession involving three persons who are being held in \$5,000 bail each.

They are Elizabeth Timmons, 19-year-old white girl of New-castle; Earl Broomall, white, and William Cole of this city.

### Planned to Make Photos

According to police, the two men planned to kidnap Dr. Goens and take him to a deserted sand pit near Newport, Del., about five miles from here. There the girl was to disrobe and while one of the men covered the physician with a revolver the other was to make pictures of him with the girl.

With the photographs which they hoped to obtain, the trio planned to demand the doctor to pay large sums of money for their suppression, police say.



## Police Capture Parolee in Shooting of Det. Sergt. Baker

**BAKER, from Page 1.**

clothes. The man told Howze of the fugitive's whereabouts, aid was summoned, and the arrest affected.

When the officers approached Thompson, their guns drawn, he threw up his hands and said, "Here I am. Come and get me," they reported. *Gold 8-15-40*

### Police Find Weapon

Late yesterday afternoon police found Detective Baker's service revolver, with which he was shot, and arrested a 26-year-old colored man who said Thompson had given it to him. *Washington, D.C.*

Raymond W. Dickinson, colored, 26, took Policeman W. E. McCarten, Ninth Precinct, and Detective Sergts. E. E. Scott and George Thornton to First and I streets northeast, where the gun was cached. This was after he was arrested at his home, 622 Second street northeast, the officers stated.

Dickinson said Thompson appeared at his home about 2 a. m. yesterday with the bloody gun in his hand, saying he had a tussle with a policeman and took the gun away from him.

"Do you want it?" Dickinson quoted Thompson, according to the arresting officers.

Baker's .38 caliber service revolver was found in heavy brush against a fence. One bullet had been fired from it. There were no fingerprints on the weapon.

### Baker's Condition Serious

Dickinson was held without charge last night, denying any knowledge of the shooting.

Dr. W. Warren Sager, police surgeon, said last night the detective's condition had improved following a blood transfusion. The doctor stated that early yesterday it was believed Baker's right arm would have to be amputated, the bullet having severed a main artery, crippling the muscles.

Last night the doctor said he believed the arm had been saved and Baker had a chance to recover. His condition, however, was still serious.

The detective was shot with his own revolver, allegedly by Thompson, about 12:30 a. m. The attack occurred a few doors from the corner of Fourth and O streets northwest.

### Courage His Undoing

Baker's indomitable courage which won him two medals and promotions was blamed last night for his serious condition. Doctors said had he not chased his quarry for almost a block after receiving the wound he would not have lost so much blood.

Baker collapsed in front of 427 Neal street northwest, and lay unaided until police received an anonymous telephone message to "meet a citizen" in front of that address.

The detective started after Thompson, whom he wanted in connection with several recent housebreakings, at Fourth and N streets northwest. Thompson was in the rear of a sedan which was occupied by two other men. When the suspect saw Baker, he jumped from the car and ran.

In an alley behind 1314 Fourth street northwest, Baker caught the man after the latter ran through a barbed wire fence. On the way to a call box at Fourth and O, Thompson struggled and both men went down. Baker's gun fell from his pocket, was snatched up by the colored man and fired point blank at the detective who was on his

back, according to police reports.

Still conscious when fellow policemen arrived, Baker identified his assailant and a city-wide manhunt began.

In less than an hour Thompson was traced to a brother's home in the 900 block First street northeast, where he asked for money, and to a sister's home in the 1300 block U street northwest, where he washed blood from his hands and face, the police reported. In each case he had gone just before detectives arrived.

During the early-morning chase detectives arrested the two men in the car with Thompson and recovered the automobile in the 1200 block Linden street northeast. One of the fugitive's brothers also was taken into custody.

Thompson was paroled from Lorton Reformatory December 15, 1938 after serving two years of a five-year term for housebreaking, according to Hugh Rivers, executive secretary of the Parole Board.

### Third Such Attack Here

Since his parole, until three weeks ago, Thompson was employed as a presser in a tailoring establishment. Police learned he quit his job the day after a prison companion was released from Lorton. It was about this time that stolen property began appearing at pawn shops, pledged, according to police, by the suspect.

Baker's shooting is the third case of policemen being attacked by colored men here since June 14, when Park Policeman Ivan Thompson was shot to death with his own

gun. Policeman L. R. Henson suffered a jaw fracture early last Monday when he was beaten with his own nightstick by a colored man. In the melee, Henson shot his assailant.

### Twice Decorated

Sergt. Baker twice was decorated for bravery in the line of duty by the Commissioners. He received a gold medal in 1935 for shooting Morris C. Beck, the "blackface bandit," during the holdup of the Blue Bell Cafe, on Bladensburg road northeast. Baker's first citation came about 8 years ago when he crawled across an ironing board from one building to another to apprehend an armed youth who had been holding a crowd of police at bay with a gun.

Sergt. Baker is married and has two stepchildren. He lives at 2837 Monroe street northeast.

### 38-Hour Man Hunt Ends

## Parolee Confessed Shooting Of Sergt. Baker. Police Report

Surrounded by five policemen he sat on a bench behind a strong High School, near Third and O streets northwest, Wilton Peyton Thompson, 24-year-old colored man wanted in the shooting of Detective Sergt. Earl Baker, was arrested shortly before 8 p. m. yesterday.

Questioned at police headquarters, Thompson signed a three-page confession of the shooting, according to Inspector Bernard W. Thompson, chief of detectives.

He was held on an open charge pending the outcome of Sergt. Baker's injury. Wounded in the shoulder, the officer remained in

### Condition in Emergency

nour search for the fugitive, with 15 detectives and 12 uniformed men on special detail to apprehend him and police here and throughout the South on lookout, ended when Policeman Benjamin F. Howze, of the Second Precinct, notified headquarters he had located Thompson.

Howze, hiding in the living room of Thompson's home at 430 O street northwest, pounced upon a young

colored man who entered the house and obtained from him the information that Thompson had sent him for

## PRESIDENT SAVES JANITOR, 70, FROM HOT SEAT

WASHINGTON — President Roosevelt on Saturday committed to life imprisonment the death sentence of William McAfee, 70-year-old janitor, who faced the electric chair for murdering a white woman tenant on August 22, 1937.

The President's edict climaxed a three-year legal battle marked by two first degree murder convictions, twenty-two stays and refusal of the U. S. Supreme Court to hear an appeal from the second death sentence.

### Furnace Shaker Used

McAfee's victim was Mrs. Henrietta B. Anderson, white, Government clerk, of 1633 L Street, Northwest.

She was found bloodied to death in her apartment by detectives who traced blood stains which led to the janitor's quarters in the basement. They said McAfee confessed killing her with a furnace shaker.

First conviction in the case came seventeen months after the crime. On the basis of defense counsel's contention that a confession wrung from the aged janitor was improperly used, a new trial was granted by the Court of Appeals, resulting in a second conviction on June 14, 1939. An appeal from this action was refused by the Supreme Court. *Aug 6 1940*

### Evidence Questioned

It was on the recommendation of Solicitor General Francis Biddle that President Roosevelt commuted the sentence. Mr. Biddle, in examining the verdict, along with other Government counsel, conceded that they would not have returned a first-degree verdict on the evidence presented.

McAfee's alleged confession indicated that he and Mrs. Anderson had been on intimate terms for two years before the tragedy, and that they had argued over his interest in a Miss Annie Mae Johnson, Rocky Mount, N.C., school teacher.

Both were believed intoxicated at the time of the slaying.



Life Ends at 11

## Inquest Holds Two in Death Of Child in Auto Accident

**Washington Post**  
A coroner's jury yesterday ordered Mary Rita Cosgrove, 22, 4702 Hunt avenue, Chevy Chase, and James H. McDowell, 23, colored delivery driver, held for trial in the Police Court under the Negligent Homicide Act for the death of 11-year-old Mary Ann Watson, 5112 Connecticut avenue northwest.

Bonds of \$1,000 each were fixed for Miss Cosgrove and McDowell pending their arraignment in the Police Court this morning. The act provides a penalty of \$1,000 fine or a year in jail, or both, if they are convicted.

The Watson girl, daughter of Mr. and Mrs. William V. Watson, was fatally injured at Connecticut and Nebraska avenues northwest about 8:30 o'clock Saturday night. She was crossing Connecticut avenue with one of her classmates at Alice Deal Junior High School, Elizabeth Fentress, 13. **9-4-40**

Elizabeth, the daughter of Mrs. Catherine S. Fentress, 5103 Connecticut avenue northwest, was not able to testify because her legs were broken. She is in Emergency Hospital.

The coroner's jury found that the Watson child was struck by a delivery coupe which McDowell was driving south on Connecticut avenue and then was crushed under one wheel of an automobile Miss Cosgrove was driving north.

The Fentress girl's story was given at the inquest by Detective Sergt. William J. Liverman, Traffic Squad. He said she told him that after having dinner at the Watson home the two walked southward on Connecticut avenue. The child said, Liverman declared, that they crossed Nebraska avenue safely, after waiting for the light, and did not start making the eastward crossing of Connecticut avenue until traffic stopped. When half-way across the street, the girl said, she saw McDowell's white car approaching from the north and then saw the lights of another car coming up from the south.

McDowell and Miss Cosgrove, who made voluntary statements, were not subject to cross-examination.

### Driver's Account

McDowell, who lives at 327 Fourteenth place southeast, said he was a delivery driver for Higgin's Drugs, 5015 Connecticut avenue northwest. He declared that he crossed Nebraska on a green light and saw the children running across in front of his car when he was about 6 feet from them. He said he was going 18 or 20 miles an hour and promptly stepped on his brakes.

McDowell said the smaller girl apparently saw his car but did not see Miss Cosgrove's car coming from the south, while the taller girl apparently saw the Cosgrove car but not his. Thus, said McDowell, the smaller child, who was closest to him, stepped in front of Miss Cosgrove's car, while the larger girl stopped in the middle of the street.

Miss Cosgrove said she was driving northward in a drizzle and the light was changing as she approached Nebraska avenue. She said she had a mental image of both the green and amber light. As she was putting on her brakes, Miss Cosgrove said, she saw three objects in the air in front and to the left of her car. Private Arthur G. Keane, of the Eighth Precinct, testified that the point where Miss Cosgrove said she was when she saw the objects was 143 feet south of the Nebraska avenue curb line.

Miss Cosgrove said the children were not on her side of the street center line, but that when her car was pushed back, after she had stopped, she looked out and saw the Watson girl's body in front of her left wheel.

**Motorist Held For Grand Jury In Man's Death**

**Charles N. Thompson Charged at Inquest With Negligence**

**SEP 26 1940**  
Charles N. Thompson, 31, of Arlington, yesterday was held for grand jury action after a coroner's inquest into the traffic death of Berry Minnis, colored, of 1717 Webster street northwest. Thompson was charged under the traffic act with "gross negligence" and "utter disregard for the rights of

others."

Minnis, who was 52, was fatally injured Sunday at Sixteenth and Webster streets northwest, by a car admittedly driven by Thompson. For the first time, testimony at an inquest was given by members of the new police accident investigation squad.

### Herrick Testifies

Coroner A. Magruder MacDonald said he was "highly pleased" with the presentation of evidence which resulted in sending Thompson before the grand jury.

Principal testimony was offered by Policeman Donald Herwick, member of the new unit. He told the coroner's jury that the odor of alcohol was evident on Thompson's breath and that the defendant admitted drinking "a couple of beers." Investigation at the accident scene showed that Minnis was hurled 39 feet by the impact, Herwick said. The man, witnesses told Herwick, was crossing Sixteenth street, from east to west, and within the sidewalk. He was struck while in the center of the street and thrown to the southwest curb of Webster street, Herwick testified.

### Witnessed Accident

Skid marks measured 48 feet 3 inches, the inquest was told. Tests were made showing the skid marks in the street came from Thompson's car, Herwick said, and other stopping tests at the legal 30 miles an hour speed indicated Thompson's automobile was traveling in excess of the speed limit.

John A. Ruane, 1632 Webster street, said he was standing on the west side of Sixteenth street and saw Minnis crossing within the crosswalk. He said he didn't see Thompson's car until the man was struck.

Investigations at the scene were conducted under the direction of Lieut. William Liverman, chief investigator of the squad.

**Negroes Worth \$40 A Head To Reward Seeker**

**D. C. Cops Offer \$200 For Capture Of White Killer Of Five Men**

**NOV 21 1940**  
WASHINGTON. (AP)—Forty dollars a head is all that a Negro is worth, according to a police poster stating that a reward of \$200 has been offered for the apprehension or information leading to the apprehension of the "sniper" who has been shooting and killing Negroes from ambush in the capital.

Five Negroes have been shot and

mortally wounded by this same person, and each of the murders has been committed in the identical manner.

Unsuspecting Negroes, attending to their own business, are suddenly confronted by an armed white man, who without warning fires at his victim.

General belief is that the sniper is a former policeman, dismissed from the force because of failure to comply with the regulations of the department.

Colored youths are chary about visiting certain sections of the city where the sniper has been operating. Police are said to be scouring the city in an attempt to locate the murderer.

**Father Accepted \$500 for Son's Injuries, Report**

**Washington Post**  
**Major Millard, Head of Prep School, at Liberty Under Bond of \$1,500**

**NOV 23 1940**  
In the face of reports that John Busey, of 1223 Twenty-third Street, Northwest, father of the seven-year-old boy allegedly assaulted by Major Homer B. Millard, 42, white, principal of the West Point Preparatory School, has accepted \$500 in settlement and agreed to drop criminal charges, the Lincoln Civic Association adopted a resolution on Monday night urging the district attorney to vigorously prosecute the case.

The boy, Charles, who lingered near death with a fractured skull in the Children's Hospital for several weeks, was released last week and is reputed to have been removed somewhere in Maryland by his father.

Bond is \$1,500. Meanwhile, Major Millard has been at liberty under \$1,500 bond on an assault charge. The warrant charging the officer with assault was signed by the boy's mother, Mrs. Elizabeth Busey, of 1324 V Street, Northwest.

Also pending against Major Millard is a \$25,000 damage suit for the boy filed by George A. Parker, dean of the Terrell Law School, who is also chairman of the legal defense committee of the Lincoln Association. Whether or not the report is true that the father has accepted a sum in settlement, it will have no bearing on the civil action, according to Attorney

Parker. Russell Barrett, white attorney, is reputed to have effected the settlement in behalf of Major Millard. Earlier in the case, he approached Attorney Parker looking toward a settlement, but was turned down at that time because of the boy's condition.

Barrett, in company with one known as Jim Lane, and the father are reported also to have visited the boy's grandmother some time ago and suggested that she settle for a certain amount, but were turned down.

**Mother Finds Son Gone**  
The boy's mother, it is said, had no knowledge last week that her son was to be removed from the hospital by the father. When she called at the institution, she was told that the father had taken the son. Mr. Busey is said to have refused to tell his estranged wife definitely where the son is domiciled.

According to the story, Charles was playing about the door of the West Point School, 1918 N Street, Northwest, on October 8, and that Major Millard chased him some distance down the street, caught and dragged the boy back to the school. The officer is accused of having lifted him up over an iron fence and dropped him into a window well with a concrete floor.

**Admits "Punishment"**  
The fractured skull is attributed to this action. Major Millard is reported to have admitted lowering the boy into the well as "punishment for disturbing students and using abusive language." The boy landed on his feet and remained in the well only a few moments before one of the students lowered a ladder and brought him out, the major insisted.

Charles was seen lying on the wet pavement by a delivery truck crew which included: Joseph Short, 914 Third Street, Northeast; James M. Edmonds, 1680 Kramer Street, Northeast, and Burton Givens, 320 B Street, Northeast.

The boy was taken to the home of Mrs. Nellie Reese, of 1265

Twenty-third Street, Northwest, who had tended him at various times. He was suffering with convulsions and later taken to Emergency Hospital, where his stomach was washed out and he was taken home.

In the meantime, Dr. E. F. Harris, president of the Lincoln Association, was notified of the incident and began an investigation. As a result of his action, Detective Lusby, of the Third Precinct, called at Charles' home to check up.

The detective found Charles in a stupor and called an ambulance which took the boy to the Children's Hospital where an X-ray revealed the broken skull.



## Woman, 64, Fights Thugs To Save Rebuilt Pair of Shoes

Sixty-four-year-old Mrs. Rebecca Blum, of 224 Seventh street southeast, was in Casualty Hospital last night with a broken arm because she tried to protect her husband against two thugs by belaboring them with an old shoe, part of Jacob Blum's stock in trade.

An unidentified colored man who pointed, black shoes in the morning in the Blum's repair shop at the Seventh street address, thought that \$2.50 was too much for them. However, he told Blum that he would come back.

Shortly after noon the potential customer returned, according to Blum. But instead of bringing money, he brought another colored man. And while the latter occupied Blum's attention, the shopper grabbed the shoes, which he had previously tried on, and started to run.

Blum seized the second man. Whereupon the man with the shoes returned and the two knocked the proprietor to the floor. This was too much for Mrs. Blum, who seized still another pair of shoes and came to the rescue of her husband, who is of exactly her own age.

According to Blum she had got in only a feeble blow before one of the men turned on her, and the other made off with the original selection of footgear.

At Casualty Hospital it was found that Mrs. Blum's arm was broken, and she had suffered a number of bruises.

Still later police arrested Thomas Stamps, 47, colored, of 232 Seventh street southeast, and booked him at the Fifth Precinct for assault.

## White School Head To Face Charge of Assault on Boy, 7

OCT 19 1940

While seven-year-old Charles Busey valiantly fights for his life with a fractured skull received when he was pushed or dropped down a ten-foot concrete-lined window well, Major Homer B. Millard, 42, principal of the West Point School, 1918 N Street, Northwest, was expected to go on trial on an assault charge in police court this (Thursday) morning.

The officer has been held under \$1,500 bond. The case was postponed, when called last Saturday, at the request of counsel for the officer and because of the boy's condition, which is said to have been extremely critical on Wednesday. The warrant for Major Millard's arrest was applied by Mrs. Elizabeth Busey, 1324 V Street Northwest, and issued by Arthur McLaughlin, assistant district attorney.

Major Millard has admitted lowering the boy into the well as "punishment for disturbing students and using abusive language when ordered off school property." Tuesday of last week. The boy landed on his feet and remained in the well only a few moments before one of the students lowered a ladder and brought him out, the major declared.

### Found Lying on Pavement

Charles was seen lying on the wet pavement by a delivery truck crew which included: Joseph Short, 914 Third Street, Northeast; James Edmonds, 1680 Kramer Street, Northeast, and Burton Givens, of 320 B Street, Northeast.

The boy, who lives with his father, John Busey, at 1223 Twenty-second Street, Northwest, was taken to the home of Mrs. Nellie Reese, 1265 Twenty-third Street, Northwest, who had looked after him.

### Sent to Emergency

Charles was suffering with convulsions and a police scout car was called and the boy removed to Emergency Hospital, where his

other witnesses include:

Joseph Short: "On October 8, I noticed they had been surrounding a small colored boy who lying on the ground crying, was delivering furniture at 1918 N Street, Northwest, a military

school. I saw a white man chasing a small colored boy on N Street toward Twentieth Street. He caught the boy and returned him to the school and dropped him down in a hole located in front of the school building where he left the boy.

"There were several white student around who began to holler and laugh at the boy trying to get out of the hole. I went into the building and delivered some furniture; as I came out I saw the small colored boy lying on the ground very still..

"The driver of the truck went over and picked the boy up at which time the boy began to vomit. He had one shoe on his foot and was balled up into a knot. We placed the boy into the truck, put a pad over him and tried to find where he lived. He first said Third Street and then Twenty-third Street, where we took him and located a boy who knew this boy and directed us to 1265 Third Street, Northwest."

The statement of Burton H. Givens said in part:

"On October 8, I saw a crowd of young white college students in front of 1918 N Street, Northwest, surrounding a small colored boy about 7 or 8 years old who was crying. After I had helped deliver some furniture at 1918 N Street, Northwest, and was on my way out of this address, I heard a bell ring and saw students going into the school.

"When I reached the outside of the building, I saw the little boy on the sidewalk and asked him what was wrong. He could not tell me exactly. He kept saying that he lived on Twenty-third Street. We put him in the back of the truck to carry him to No. 3 Precinct. On our way there we met some little boys playing and one of them showed us where the little boy was supposed to have lived, 1265 Twenty-third Street, Northwest."

James Edmond's statement said in part:

"On October 8, I was driving a delivery truck which had furniture to be delivered at Millard's Military School, 1918 N Street, Northwest. I heard a child hollering. Soon afterwards, I heard a bell ring and saw students leave to return to the building and then

A rumor that Charles had entered an auto on Connecticut Avenue prior to the incident, removed a lunch and ate it, has been found to be untrue. This story originated from a boy who attends the Stevens School, where Charles is a pupil, that he saw Charles enter an auto on a parking lot and remove a small can of grease which he did not eat.

The vomitig has been attributed to the fractured skull.

After the case had been investigated by Dr. Harris, president, and William H. Schields, secretary, of the Lincoln Civic Association, George A. Parker, attorney and chairman of the association's committee on legislation, was called to take charge of the prosecution.

### Truckmen Make Statements

Excerpts from the statements of the three truckmen taken by Dr. Harris, who is a notary, and an



# Boy, Seven, Fights For Life As White Educator Faces Court For Assault

WASHINGTON, Oct. 17—While seven-year-old Clark Busey fights for his life with a fractured skull, received when he was pushed or dropped down a 10-foot concrete-lined window well, Major Homer B. Millard, 42, principal of the West Point prep school, 1918 N street northwest, is under \$1,500 bond, charged with assault, pending a hearing on Thursday. The warrant for the officer's arrest was applied for by Mrs. Elizabeth Busey, 1324 V street northwest,

and issued by Arthur McLaughlin.

Major Millard has admitted lowering the boy into the well as "punishment for disturbing students and using abusive language when ordered off school property," Tuesday of last week.

The child landed on his feet and remained in the well only a few moments before one of the students lowered a ladder to him, the major declared.

Clark was seen lying on the wet pavement by a delivery truck crew which included Joseph Short, 914 Third street northeast; James Edmonds, 1680 Kramer street northeast, and Burton Givens, 320 B street northeast.

The boy was taken by the men to the home of Mrs. Nellie Reeves, 1265 Twenty-third street northwest, who had been tending him. The child was subsequently taken to Emergency hospital for treatment for convulsions and his stomach pumped.

On the following day (Wednesday) Mrs. Reeves called the matter to the attention of Dr. E. F. Harris, president of the Lincoln Civic Association. The latter applied at the Third precinct for a report of the case, but had to wait three hours until this was forthcoming.

In the meantime, a detective went to the boy's home and found him in a stupor. He was ordered to the Children's hospital, where the X-ray revealed the broken skull.

Dr. Harris, following an investigation and taking of statements from the truckmen, immediately demanded the arrest of Major Millard. The army man contended that Clark must have received the injury some time after being lowered into the well.

Mr. Short, one of the truckmen, said he saw a man chase the boy from the school, bring him back, and drop him onto the concrete floor. After he finished delivering furniture into the school, Mr. Short said the youth was lying on the ground, with students of the school jeering him.

Children's hospital reported on Sunday that Clark's condition is

very critical." Only his mother and father, John Busey of 1223 Twenty-second street northwest, are permitted to see him.

Major Millard had been ordered to active duty last week, but the court charge delayed his presenting himself for army service. The case was postponed last week by Judge Hobart Newman at the request of the major and because of the boy's uncertain condition.

OCT 19 1940



## Don't Blame The Race

While a pianist entertained an audience at Howard University Tuesday night, her mink coat valued at \$2,000 was stolen from a cloakroom. The theft was a regrettable incident and an ugly climax to a delightful concert.

That Negroes have no corner on crime goes without saying. Yet whenever Negroes are involved in such an affair, there seems always to be a tendency on the part of white people to regard the occurrence as an indictment of the whole race. This attitude is, of course, unfair. If a guest loses a costly jewel or wrap in the home of a wealthy hostess, the latter suffers embarrassment along with the other guests who may be under suspicion for a time. The police are called in, and the dailies tell the story to the world. But no one suggests an indictment of all white people.

Howard University, as host to Miss Eugenie Buxton, deeply regrets her loss, and must feel some embarrassment. Every honorable citizen deplores the theft and hopes that the coat will be recovered.

## Howard Silent As \$3,000 Coat Disappears

WASHINGTON—(ANP)—Officials at Howard university are silent on the subject of the missing mink coat (valued at \$3000) which it is alleged was stolen from a check room Tuesday evening while Eugenie Buxton, pianist, white was giving a recital at the school.

Arriving at the school around 9 p. m. Miss Buxton checked her valuable wrap and left to go to the auditorium where the concert was being held. Upon concluding her program, Miss Buxton returned to claim her coat, but there was no coat. A hurried search failed to show any trace, although it had

been checked earlier in the evening.

Embarrassed—and how!—officials of the school were loath to call in police, but Miss Buxton was determined to sift the matter through in an effort to find her costly wrap.

## No Clues in \$3,000

## Mink Taken at HU

WASHINGTON.

Headquarters detectives are checking closely on local second-hand stores and pawnshops in the frail hope of locating the \$3,000 mink coat stolen last week from Mrs. Eugenie Buxton, white, concert pianist, while she was appearing at Howard University.

Although police told the AFRO no appreciable progress had been made in the effort to solve the crime, they expressed the belief that the work was part of a series of thefts being perpetrated by a New York gang. The ring, police stated, formerly operated exclusively in New York and its environs.

In recent months, however, its activities have been extended to Philadelphia, Baltimore and Washington. They stated further that the gang seems to specialize in the theft of expensive furs.

### Second in Three Days

The taking of the artist's wrap was the second of its kind within three days in this city. Only two days before, Mrs. Dallas Dort, white, wife of a former automobile manufacturer, lost her coat under similar circumstances at the Belasco Theatre.

Though Mrs. Buxton's garment was taken from a cloak-room of the university while she was on stage, police observed that Howard University officials could hardly be held responsible. Detectives also expressed the view that the coat was probably insured.

## Man Asks \$450 for 'Anguish' Suffered in District Jail

William Stroy, 45-year-old colored laborer who charges he was kept in jail two days because officials would not accept his \$10 fine, filed suit for \$453.80 in the Municipal Court yesterday.

Attorney Frederick R. Wilson filed the complaint in which Stroy said he was fined \$10 in the Police Court for drunkenness Saturday, May 18. Stroy was unable to pay and was jailed, but he said when his friends got the money at 2 p. m., nobody at the Police Court, the jail or the police precinct station would collect the fine.

Because he was not released until Monday, the complaint said, he missed a day's work, for which he asked his wages of \$3.80. He also asked \$450 for mental anguish he claimed he suffered through being unlawfully held.

Named defendants were Capt. Thomas M. Rives, superintendent of the District Jail; Ray L. Huff, superintendent of District penal institutions, and Chief Clerk Walter F. Bramhall of the Police Court.

Attorney Wilson asserted that until a few months ago fines were payable at the jail. Chief Clerk Bramhall, however, said the practice had been abandoned many years ago and that fines were payable only in the court.

## Dr. Fultz Regrets

The papers last week told the story of Dr. Luther Fultz, who was given a four-year sentence on the charge of performing an illegal operation.

Mrs. Fultz was convicted on the same charge. Eleven other cases of abortion and two of manslaughter against the doctor were not prosecuted.

When he has paid the \$1,000 fine and been freed from prison in 1944, Dr. Fultz will also find that he has been deprived of his license to practice medicine and must find some other way to make a living.

Thus is law strict on physicians who keep children from being born alive. But, the number of physicians who perform such operations without prosecution is undoubtedly large.

While we punish the physician who commits an abortion, the law does not hold the parents or the girl-mother who conspired with Dr. Fultz in committing these alleged crimes. Certainly he could not do it by himself without their aid.

If the law jailed all the other conspirators we should have fewer abortions and more marriages among young people which is just what nature intended.

If Dr. Fultz has any regrets today he must wish he had been strong enough to refuse the appeals of young men, young women and their parents when they begged him to violate the law.



# Bomb Rips Foundation of 53rd Street Dwelling Ten Minutes After Pair Leave

Who planted the dynamite which blew a 4-foot section out of the foundation of the house at 130 Fifty-third Street, Southeast, early Monday morning, just ten minutes after two of the occupants, Mr. and Mrs. James Tolson, who had married on the previous Saturday, left the building?

Well, detectives have had just about as much success at solving that one as the local populace had in trying to find out who did it. That doesn't mean that they have gotten nowhere, for within twenty-four hours they had spotted two suspects.

One of the suspects was a former suitor of the newly-married Mrs. Tolson and was friendly with her when she was Miss Mary Dodson in the 500 block of Columbia Road. Another was a foreigner, who was also linked up.

But after arresting the ex-suitor and subjecting the foreigner to a barrage of questions, detectives declared that they did not have enough to place charges against either. The former sweetheart is said to have worked at one hotel for 18 years.

"When a man has worked at a place that long there must be something solid about him and he seems to be too much in love with that woman to do a trick like that," said one officer in discussing the case.

With these two practically on the cleared list, detectives sought other possible enemies of the occupants of the house.

Mr. and Mrs. Tolson had just left the house to call for Mrs. Tolson's sister, Miss Magruder Dodson, a waitress, when the explosion tore out a brick wall near the front steps, shattered basement windows in the rear and shook the homes of neighbors in this new settlement "like an earthquake."

Police found a five-foot piece of burned fuse beneath the steps. The sisters told officers that a mysterious stranger had been prowling about their new home earlier in the evening and mentioned the possibility of a disgruntled suitor having caused the blast.

Their pet dog, left alone in the house, came out none the less worse for the wear and tear on his nerves.

## Sniper Kills One, Wounds Another

*African American* SEP 14 1940  
*Baltimore* *me*  
WASHINGTON  
One man is dead and another mysteriously wounded in what is believed to be an interracial flare-up in the North Capitol Street section of this week.

Rumor says that white men in this section openly resented the attentions paid white women by transient railroad men in the area. Police have made no arrests.

**Shot in Back Man Dies**  
Shot in the back by an unknown white man, Thursday, Moe Steele, 30, of 11 P Street, Northwest, died in Freedmen's Hospital, Sunday.

The victim was shot from behind while he was walking up North Capitol Street, near P. Steele hailed a cab and requested the driver to take him to Freedmen's Hospital.

Police are working on the case, but to date no arrest has been made. Steele's mother, Mrs. Sarah Steele, of White, Rock, S.C., has been notified.

**Another Critically Shot**  
A second victim, John Henry Sharkey, 35, of 249 Irving Street, Northwest, was shot from behind Saturday, as he was entering Decatur Court, Northwest, near P and North Capitol Streets, Northwest.

Sharkey was taken to Sibley Hospital in a scout car and later transferred to Freedmen's Hospital, where he remained with his condition rated as critical.

two children to death. A drunken rage three years ago, was saved from the electric chair yesterday by President Roosevelt.

In commuting McAfee's sentence to imprisonment, the President was said to have been swayed by doubts on several points which were decided against McAfee by the two juries which convicted him of first-degree murder in the District Court.

Mrs. Henrietta Barbara Anderson, Veterans' Administration employee and widow of a war veteran, was found dead in her apartment at 1633 L street northwest on Sunday, August 22, 1937. A trail of blood led detectives to McAfee's quarters in

the basement and they found the furnace shaker which was the death weapon.

The man confessed. Within a few weeks, a District Court jury found him guilty, the verdict making the death penalty mandatory. More than a year later the United States Court of Appeals here gave McAfee a new trial.

A second jury returned a mandatory death verdict June 14, 1939, and the Court of Appeals upheld the judgment.

Chief Justice D. Lawrence Groner and Justices Justin Miller and Fred Vinson concurred in the opinion in which said McAfee's rights were "afforded full and adequate protection by the trial court" (Justice James M. Proctor) and that the man "was properly convicted."

The Supreme Court refused to hear McAfee's appeal from the second death sentence. Although urging the highest court to reject the appeal, Solicitor General Francis Biddle and other Government counsel, conceded that they personally would have been reluctant to return the verdict which was returned by the District Court jury, which heard McAfee and the other witnesses.

### Willingness in Doubt

President Roosevelt was said to have been influenced by these considerations:

Conflicting evidence as to whether McAfee willingly confessed.

Doubt whether McAfee understood the nature of his confession.

Speculation whether McAfee was not too drunk when he killed Mrs. Anderson to perform the "premeditation and deliberation" which would make the crime first-degree murder.

## Woman Held in Death of Girl

*Washington Tribune* Sept. 7 1940  
James H. McDowell, 23, of 327 Fourteenth Place, Southeast, delivery truck driver, and Miss Mary R. Cosgrove 22, of Chevy Chase, white, were held under \$1,000 bond by a coroner's jury, Tuesday, for trial in police court under the Negligent Homicide Act for the death of a 11-year-old white girl.

A companion of the deceased girl is in Emergency Hospital with broken legs as a result of the accident which occurred at Connecticut and Nebraska Avenues, Northwest on Saturday night.

McDowell admitted that his machine struck the girl whose legs were broken as she crossed the street with a companion. He insisted the white woman's car struck the girl fatally injured.

Miss Cosgrove testified at the inquest that McDowell's car struck both girls and threw the one killed into the path of her machine.

The Negligent Homicide Act provides a penalty of \$1,000 fine or a year in jail, or both, upon conviction.

### President Intervenes

## D. C. Woman's Slayer Saved From Chair by Roosevelt

*Washington*  
William (Major) Mossee 64, colored janitor who beat the mother of



## Supreme Court Frees Three Boys Held In Jail Over Six Years

DEC 21 1940

WEST PALM BEACH, Florida —

More than ten months after the U. S. Supreme Court, in an unanimous decision written by Justice Black last February 12, snatched four Negro youths here from execution for the death of a white Pompano, Fla., fish peddler in May, 1932.

Circuit Judge C. E. Chillingsworth freed the boys on the ground that no Negroes sat on the jury which indicted them. For six years three of the boys have occupied the death house.

A fourth went insane last February and is now in the state hospital.

## FLA. BOYS ARE FREED, RE-JAILED

Indictments Quashed Because  
Negroes Were Excluded  
from Grand Jury.

DEC 21 1940

WEST PALM BEACH, Fla.

Dec. 19.—Because Negroes were deliberately and intentionally excluded from the grand jury which returned indictments for murder against them Judge C. E. Chillingsworth in Circuit Court last Thursday morning ordered the indictments against Jack Williamson, Charles Davis, Walter Woodward and Izell Chambers quashed.

Almost immediately, however, the boys were ordered re-arrested on a

warrant sworn out through State's Attorney Phillip O'Connell.

Only three of the boys were in court at the time the order was issued. The fourth boy, Izell Chambers, is reputed to have become insane since his arrest in 1933 and is incarcerated in the state hospital.

The boys were indicted for the murder of a white fish dealer in Broward county in 1933.

Argument on the motion to quash the indictment was begun on December 3. At the counsel table for the boys sat the Hon. Sidney J. Catts, Jr., son of a former governor of Florida, John Ziegler, West Palm Beach lawyer, and S. D. McGill, Jacksonville, leading counsel in the case who conducted the examination of all witnesses and made the argument.

The testimony of the various witnesses showed that no Negro had ever served on a jury in Broward county.

Judge Chillingsworth, in sustaining the motion to quash and discharge the defendants, noted in his order that the long continued practice of excluding Negroes from jury service, as shown by the evidence, was not an accident.

The action of Judge Chillingsworth marked the first time in the history of Florida that a Florida court had ever quashed a grand jury indictment based upon the ground of racial prejudice.

The state's attorney ordered the re-arrest of the boys in the hope of having new and prejudice proof indictments returned against them in Broward county.

However, Attorney Catts fought the attempt to have the boys transferred to the Broward county jail after their re-arrest. He insisted that they be kept in jail here until the grand jury meets.

The boys have informed Attorney McGill that they fear they will be lynched if they are forced to return to Broward county.



# JOY OVER NEWS OF FREEDOM DRIVES YOUTH INSANE

JACKSONVILLE, Fla. — Apparently the joy of being freed from the shadows of the electric chair proved too much for Izell Chambers, one of the defendants in the now famous Florida's "little Scottsboro Cases," and today he is confined to the State Hospital for the Insane at Chattahoochee.

Breaking into a hysteria when he and his three companions were informed that the Supreme Court of the United States had set them free, several weeks ago, he was unable to control his joy and hysteria. As a result he was committed to the hospital on April 4.

The four men had been in the death house for the past seven years and were the oldest prisoners there. Chambers had grieved over the fact that the shadow of the electric chair still hung over his head, without any relief in sight. Nevertheless their attorney, S. D. Gill, has had the death sentence reversed four times by the Florida courts.

When the court finally sustained on the fifth trial, the case was taken to the Supreme Court of the United States, by Mr. Gill and Leon Ransome. This case was reversed and the defendants set free when the court, through the decision of Mr. Justice Black, delivered the memorable decision putting the Supreme Court on record as seeing that the rights of the oppressed are recognized.

## Another Dixie 'Horror'

Charges such as those emanating currently from Sacramento, where a man named Harry Bloisdale is resisting extradition to Florida, are a perennial source of irritation to Southern States. Bloisdale, it seems, escaped from a Florida prison five years ago. He had been given a 15-year sentence for robbery. His counsel contends that he has been a good citizen of Los Angeles since he ran away from a penal camp where floggings, starvation, sweat-box torture and shooting of prisoners by guards were routine procedure. According to Bloisdale, several of his fellow-convicts chopped off hands and feet to escape work.

It is a familiar story. Sometimes it is told about Florida, sometimes about Mississippi or South Carolina. There is surprisingly little variation in the story of the pitiful fugitive from a chain gang. Or, come to think about it, maybe it isn't surprising. It's the story made famous by Robert Elliott Burns, hero of the flight that inspired one of Paul Muni's "documentary films." Defense counsel for men like Burns and Bloisdale need only dust it off.

Granted that Southern chain gangs are not health resorts. Granted that there are brutal punishments. Granted that the penal systems of many Southern States are in sore need of reform. The fact remains that such horror stories as that told to Gov. Olson of California in the Bloisdale case are beyond belief—or should be beyond belief until they have been verified by adequate investigation. The further fact remains that such investigation is almost never made by the horrified governors of the sanctuary States to which these uniformly golden-hearted felons flee. Extradition is denied, and this fact is taken as proof of the truth of the atrocious stories.

That, at any rate, is the customary procedure in such cases. In the Bloisdale matter, Gov. Olson has postponed action until he can hear from Florida's Gov. Cone, to whom he has sent a summary of the testimony, with copies of the affidavits. Whether or not he decides to honor the Florida requisition, it is to be hoped that Gov. Olson can be given assurances that the horrendous charges brought against Florida are false.

Elimination of all suspicion of inhumane treatment of prisoners in Southern jails and prison camps is a necessary reform, toward which the various States are working. It is a pity there is no promise in such reform of a cessation of the horror charges. It has entered the national folklore.—Richmond Times-Dispatch.

## FLORIDA

### Negro Protests at Facing Trial on Friday, 13th

(The Associated Press)

Tampa, Fla., Aug. 23.—Attorneys with a superstitious Negro client took time by the forelock to ask postponement of a trial set for Friday, September 13.

Said the petition filed today by Attorney John R. Parkhill and Manuel M. Garcia in behalf of postponement:

"Defendant is of a highly superstitious nature and does not believe he can safely go to trial on Friday, the 13th, 1940."

"Moreover, Friday the 13th has been decidedly an unlucky day for one of the attorneys for the defendant, John R. Parkhill, for on said dates he has suffered divers and sundry misfortunes, such as breaking his arm and suffering financial loss."

Judge John R. Himes, presiding, reserved decision.

### Intruder In Homes Used Ether, Belief

Possibility that the white intruder into the bedrooms of two Westside matrons attempted to use ether to render his victims unconscious was being investigated by Birmingham police officers today.

Both women, who live within a few blocks of each other, were awakened early yesterday to find the man in their bedrooms.

When one of the matrons screamed, he whispered to her: "Shut up, fool!" but fled when her screams continued. He was said by officers to have fled instantly at the other woman's screams.

One of his would-be victims told police the man held in his hand a rag which "smelled like it might have ether in it."

Entry into the two homes was gained through a window which the man pried open with an icepick.

Police today pressed their search for the man said to be white and about five feet, eight inches tall and to weigh about 150 pounds. Officers J. W. Haley and E. T. Rouse investigated.

Anniston, Ala. Star  
October 9, 1940

### Fourth Trial Set In Negroes' Case

WEST PALM BEACH, Fla., Oct. 9. (U.P.)—Arrangements were completed today for the fourth murder trial of three Negroes whose case attracted national attention last Lincoln's birthday when the U. S. Supreme Court reversed their convictions with a ruling condemning methods used in obtaining their confessions.

Circuit Judge C. E. Chillingsworth set October 28 for their trial when the Negroes—Jack Williamson, Walter Woodward and Charlie Davis—were arraigned before him yesterday. All three pleaded not guilty. A preliminary hearing was set for October 25.

From May, 1933, until the Negroes were brought here a month ago, they had been in "death row" at the Raiford state prison farm except for the periods during their second and third trials on charge of murdering Robert Darsey, Pompano fish dealer. A fourth Negro involved in the case, Isaiah Chambers, was transferred to the state hospital for the insane last spring. He will not be retried unless he regains his sanity.

Ocala, Fla., Evening Star  
September 12, 1940

### Negroes Criticize Leniency Of Juries

Dothan, Ala., Sept. 12.—(A.P.)—Houston county negroes today criticized leniency of juries toward members of their race, particularly in murder cases.

In petitions to courts, circulated by the Workers Benevolent Association, approximately 50 negroes said:

"The only way to prevent crime among our people is to inflict punishment so severe that it will deter others who are inclined to take the law into their own hands. X X X The white citizens X X X are the only ones who can give us relief, and we plead with you to do so."

West Palm Beach, Fla. Times  
September 6, 1940

### Pompano Negroes' Case Costs County \$1,750

Broward county has already paid Palm Beach county \$1,750.51 for expenses in connection with the Pompano negro case, in which three of the defendants are slated to be returned here next week by Sheriff W. H. Lawrence from Raiford.

This amount has been paid into the sheriff's office, it was learned yesterday, but it is not known whether Palm Beach county has been paid in full for the negroes' upkeep, paid by this county for a while.

Four negroes were brought here in 1936 for a third trial on charges of killing a white Pompano fish dealer in 1933. They had already been convicted in Broward county twice, and had obtained a change of venue. Re-sentenced to the electric chair, they were returned to the death house at Raiford, but a ruling of the United States Supreme Court last February kept them from death. One of the men, Isaiah Chambers, has gone insane and is in Chattahoochee.

Under a Supreme Court ruling the men were ordered sent back for a new trial, with the confessions on which convictions were obtained ruled out. To date, according to attorneys, the mandate from the State Supreme Court, handed down after the U. S. Supreme Court mandate reached it, does not incorporate the confessions clause.

Sheriff Lawrence has been asked by Supt. L. F. Chapman at Raiford to come for the three.

### Negro Is Executed

RAIFORD, Fla.—(A.P.)—Ivey Lee Williams, Gainesville Negro, was executed in Florida's electric chair at State Prison here Monday. He was convicted Dec. 6, 1939, on a charge of slaying Mrs. O. Hodge, a white woman, near the town of Alachua on Sept. 14, 1939. Prison Supt. L. F. Chapman said the Negro confessed his guilt just before Sheriff J. P. Ramsey, of Alachua County, threw the switch.



West Palm Beach, Fla. Times  
December 3, 1940

## Pompano Negro Case Under Advisement

Circuit Judge C. E. Chillingworth at noon today took under advisement a motion to quash a first degree murder indictment returned in Broward county in 1933 against three negroes for the murder of Robert Darsey, white fish dealer at Pompano.

S. D. McGill, negro attorney of Jacksonville, conducted most of the examination of witnesses at this morning's hearing. John Ziegler and S. D. Catts, Jr., are white defense attorneys, appointed by the court.

F. L. Nevill, chairman of the county commission at Broward county in 1933, J. W. Moffitt, Robert L. Clark, chief deputy sheriff of Broward county, and two negroes, Isaac Williams and A. McCoy, were questioned by McGill to establish that no negroes were on the jury list from which the grand jury was drawn that indicted Charlie Davis, Jack Williamson and Walter Woodard.

McGill cited two cases in which the United States Supreme Court held that discrimination against negroes because of their race in drawing up jury lists was enough to quash indictments against negroes for the murder of white men.

Lewis Maire, assistant State attorney and original prosecutor of the case, said after the hearing, "no matter what is the conclusion of this hearing, I am not through with this case."

He pointed out there is no statute of limitations on first degree murder cases, and the prisoners can be reindicted.

Mr. Maire testified he has never seen a negro on a grand jury or any other jury in Broward county.

## Hear Motion to Quash Fla. 'Scottsboro' Case

DEC 14 1940

JACKSONVILLE, Fla.—A motion to quash first-degree murder indictments on which four young sharecroppers were convicted in Florida's "Little Scottsboro Case," in 1933, was taken under advisement following arguments in the Palm Beach County Circuit Court last week.

A Florida Supreme Court ruling, upholding death sentences for the four youths accused of killing a white fish dealer, was reversed last February by the U. S. Supreme Court, on the grounds that the indictments were returned by a grand jury from which colored citizens had been systematically excluded.

One of the suspects went insane upon hearing of the latter victory, which meant release of the four from death cells at Raiford prison after almost seven years of confinement.

Tampa, Fla. Tribune  
December 15, 1940

## JUST TREATMENT OF FLORIDA NEGROES

The Tampa Morning Tribune has rendered a service to better race relations and to justice under law in the Florida courts in the manner in which it has thrown the light of publicity on the conduct of the cases of the four negroes so long confined in the death cells of the state prison. There is much in this strange case to challenge a careful study of Christian leaders and the newspaper has brought to light the problem of making the courts serve the minority race in the same way they serve the majority race. This is democracy and nothing else is: "Equal justice under law."

Christian ministers and laymen should be alert to the evils and abuses of American democratic institutions and give their firm support to corrective measures.

## DEATH LOOMS FOR SUSPECT

Florida Youth Held  
On Murder And  
Robbery Charge

DEC 28 1940

JACKSONVILLE, Fla. — A death penalty was predicted as likely against Ernest James Robinson, 18, when he goes on trial for the robbery and slaying, December 7, of Angus Wakefield, white, local fruit vendor. Robinson admitted Monday that he alone was guilty of the crime which took place at the fruit stand on West Beaver St.

Making his confession before State Attorney Hallows, Robinson changed his former plea of being merely the architect of the crime without taking actual part in the robbery, to a plea of having had no accomplices in the murder which netted about \$40.

Picked up on suspicion late Saturday evening, Robinson, a former employee at the fruit stand, was searched and found to have in his possession the pistol used in slaying the 58-year-old fruit dealer. He admitted having a tussle with the victim during which the grips were cut from the gun and later found near the body on the floor of the fruit stand.

The confession was withheld until evidence began to turn up against Robinson; first, a bloody apron worn by Wakefield was found in his room by his landlady under a rug, then blood-stained clothes allegedly worn at the time of the holdup.

He also informed Detective Sidney Hulbert that the knife with which he stabbed Wakefield could be retrieved from the trash pile where he had thrown it from his room window.

Robinson will probably go on trial during the week of January 20, 1941, in Duval County Circuit Court.



# Twilight For Chain Gangs

## South Embarks On Prison Reform

By WALTER WILSON

(Quoted in part from the Nation)

For half a century the South's penal system has been considered particularly cruel and degrading. Many writers have exposed the shocking conditions in the prisons and the brutalities of the chain gangs, and painted horrifying pictures of convicts tortured in steel cages, flogged to death, or making desperate efforts to escape, pursued by bloodhounds and men with shotguns. Recently, however, we have been told that extensive reforms have been introduced, and the South has challenged its critics to revise their judgments. The Jacksonville Times-Union, for example, not long ago invited "those penmen who have berated this section of the country to try their trade with equal assiduity in heralding the improvement of conditions in convict camps."

I have myself frequently protested against conditions in Southern prisons, and when I heard it asserted that a major transformation had been effected, I decided to investigate. I went to the chain-gang country, made a personal survey, and discovered that since 1933, and chiefly since 1936, the South has made definite progress toward a more humane and intelligent penal system. To appreciate the reforms accomplished, one must recall the conditions that had persisted almost without change since the close of the Civil War. The men who at that time established the penal system for the Southern States were less interested in setting up machinery for the administration of justice and the protection of society from crime than in obtaining a reservoir of quasi-slaves and a weapon for terrorizing freedmen and poor whites. Under the system they devised the services of convicts were leased to private employers. Planters and business men went to the prisons and after signing a so-called contract drove the convicts away in chains as if they were work animals. They then worked them, starved them, flogged them, or even killed them as they saw fit. This lease system was not finally eradicated from its last stronghold in the mines of Alabama until 1927.

After abolition of the private lease the local governments took over the machinery of justice, but proved only slightly more humane. The sufferings endured by prison-

ers under county authorities were strikingly exposed a few years ago by the book and the movie "I Am a Fugitive From a Chain Gang."

More recently Southern prison officials have been proving receptive to the modern idea that terror neither deters man from crime nor maintains prison discipline. The degrading punishments of the road gang are on their way out. Chains and shackles are being eliminated. In North Carolina, for example, only 2 per cent of the prisoners wear shackles. Georgia has announced that all "maximum-security" men will be kept inside the walls of the new central penitentiary at Reidsville, and that men in the camps outside will not be required to wear stripes, chains or shackles. Tennessee and Kentucky have recently joined the states that have made flogging illegal. A few other states, while retaining statutes legalizing the lash, have taken practical steps to end its use. The present penal administration in Alabama has announced that under no circumstances will wardens be allowed to whip prisoners. The new head of the Texas Prison Board, Dr. Sidney M. Lister, has suspended the "bat" (lash) in his state for two years. Dr. Lister says he is confident that he can demonstrate by the improved morale of the prisoners that corporal punishment is unnecessary.

In accordance with the practice in progressive prisons elsewhere the South is adopting solitary confinement on restricted diet as the chief means of maintaining discipline. Tennessee and North Carolina rely almost entirely on this method. Georgia adopted it in March, 1937, and at the same time abolished the stocks. Among the noticeable effects of the change are improved discipline and fewer attempted escapes.

Today in many Southern prisons a majority of the inmates are better housed, fed, and hospitalized than they were in their poverty-stricken homes. By the end of this year North Carolina, with the aid of Federal funds, will have completed its task of putting all its prisoners in modern camps. Alabama, except in a half-dozen camps, has an excellent system of prison housing. Georgia has some modern camps, and this classic chain-gang state has completed the

most important single housing development in the whole section in its new \$2,000,000 prison plant at Reidsville. Most of the camps are permanent, fireproof structures designed to accommodate from 75 to 100 prisoners. They are usually surrounded by a high wire fence enclosing generous outdoor space. In the corner of the yard is a small hospital unit equipped with first aid and other medical supplies. All camps have hot and cold water, and most of them modern plumbing. Several that I visited last Summer even had air-conditioned dining rooms.

Up to a few years ago such factors as the prisoner's age, previous record, home environment, employment experience, education, type of crime for which he was convicted, and prospects of rehabilitation were not considered important. Today in several Southern States the prison authorities are trying to build up files of information about each prisoner, to provide suitable employment for him, and to establish separate camps for the various classes — misdemeanants, felons, first offenders, recidivists, young offenders, women. Classification work has been going on in North Carolina, the first state to undertake it, since 1935. The Works Projects Administration has been co-operating with the state of Georgia in setting up a model classification department in the new Reidsville Prison, which is to be the receiving prison for the whole state. Alabama has just added two new wings to Kilby Prison to house the classification department. This state has already established a camp for misdemeanants near Montgomery, and the new Draper Prison at Speigner is exclusively for young men and first offenders.

Another feature of the new prison technique is the emphasis upon education, recreation, and vocational training for convicts. Most of the central prisons and practically all of the camps built within the past six years have rest rooms and recreation yards, and many provide competitive sports. Last Summer I witnessed a rousing good baseball game between the central prison and the camp for young offenders, under 21, outside Raleigh, N. C. Baseball teams, bands and show troupes from Texas prisons hold a jamboree and rodeo at Huntsville each Fall. This affair is open to visitors, and the considerable gate receipts are a major source of income for the general recreation fund.

If complaints against the old whipping bosses are no longer heard, wardens are occasionally accused of "coddling convicts" by providing not only exercise and recreation but schooling. In several states illiterate prisoners are required to attend classes—hardly a

fourth of Southern convicts can read even road signs, and very few have reached the sixth grade. Two Texas prisoners, and a course in English has been established for those who wish to learn the printing trade.

Progressive thinkers are insisting that the question of prison reform cannot be isolated. Tarleton Collier, Atlanta newspaper columnist and expert on Georgia prisons, said recently, "We may remake Georgia by remaking our penal system." Connected with it, he declared, are "youth problems, political problems, problems of court procedure, of equal opportunities and equal justice."

Athens, Ga., Red & Black

April 19, 1940

"Niggers will get killed. There ain't nothing you can do to put a stop to it." This was Dude Lester's (of Tobacco Road fame) slightly different way of explaining how and why he finished off a negro who once got in the way of his car. Everybody knows, of course, that "Tobacco Road" was mildly exaggerated and that certainly no one is indifferent to the negro race.

The fact that eleven southern states that harbor some nine million negroes spend on each negro about one-eighth the amount spent on each white man is not indifference. We educate them to the tune of spending \$12 a student each year, but, ahem, only \$45 annually is spent on each white student. But, wait, this is not indifference. Neither is the fact that there is but one hospital bed for every 2,000 negroes while there is one for every 150 white persons.

Instead of indifference we could conjure up several good reasons for the existence of these unusual conditions. It may be that we seek to preserve raw materials for drama. If it had not been for some such conditions—Charles Dickens, Zola or Dreiser could have had nothing to write about. Who wants to remove all the picturesque from the world, anyway?

Other fine reasons are that the improvement of negroes had to be gradual, or you have to improve the negroes—on unto the night. All this should prove that we don't share Dude's sentiments that niggers just will get killed—there ain't nothing you can do to put a stop to it.

But whether indifference or far-fetched rationalism is the basis for our treatment of the negroes, it appears to be time that we assumed a calculated concern for them.

Booker T. Washington once pointed out that it's "impossible for white men to keep the negro in the ditch without staying there with him." This is the stock argument but it loses none of its truth because of triteness. The continual depletion of Georgia soil is not going to be ended by the thousands of negro tenant farmers ignorant of scientific farming methods.

The wealth of the state will not be increased by uneducated and unskilled negro workers. If Georgia maintained other colleges for negroes in addition to the one small Georgia State College for Negroes in Savannah more men like G. Washington Carver might be uncovered.

But all this presupposes that improving the economic and social status of negroes will involve little race consciousness and tensivity. But that fear of race tension cannot always serve as an excuse for keeping the negroes on low rations.



# Mere Youths Still Lead In Committing Crimes

## YOUTH AND CRIME

WASHINGTON. (ANP) — The ripe old age of 19 years seems to be the one most susceptible to criminal impulse and urge, according to the latest report of the department of justice, which states that more persons of this age were arrested than any other single age group during the fiscal year of 1939 just ended.

"Juveniles continue to comprise a large portion of the criminal element in the United States," the report states. Of all fingerprint arrest records studied for the period, 17.6 per cent were youths under 21, representing a decrease from the 19.3 per cent for the same period in the first half of 1939."

"One out of every three persons arrested for robbery was under 21 years of age, while one out of every two persons who committed burglary had not reached his majority. More than half of all auto thefts were committed by juveniles."

"During the first six months of 1940, 373 persons less than 21 years of age were charged with murder or manslaughter, 1,964 with robbery, 7,796 with assault, 8,228 with burglary and 14,685 with larceny and related crimes."

When announcing the results of this study, Director J. Edgar Hoover of the FBI again emphasized the need for community-wide crime prevention programs throughout the United States and the need for concerted efforts through home, school, church and community influence to reduce delinquency."

Charleston, S. C. News & Courier  
December 28, 1940

## Finding Southern States Guilty

Somewhere in Virginia a young negro farm hand, or tenant, went to a white man, who was a sharecropper with whom he had worked, demanding a settlement. The negro carried a pistol. He says that the white man made a motion with his hand toward his hip-pocket (one has heard of that "motion" before) whereupon he shot the white man twice—in the back. The white man, who was unarmed, died (one story is that he died from collapse of a lung, which same the jury did not believe) and the negro has been convicted and condemned to die. The facts appear to be admitted.

The impending fate of the negro is arousing national attention. Walter White, of the Society for the Advancement of the Colored People, is writing about it. And others. One makes the point that the tragedy was caused by the poverty of farm tenants, and it is fur-

There seems to be a wave of crime among the youth, sweeping over the city at this time, which, if not checked threatens to do the society, of which they are, a part, a great deal of damage. And what is that in the majority of cases these youths are charged with petty larceny, yet here and there among these crimes we find all sorts from disturbance of the peace to homicides. Just this week ten boys, ranging from fifteen years of age up were arrested and charged with such crimes as breaking in to buildings, snatching purses, rowdyism in school, etc. These boys, of course, were members of gangs, and when one is caught he is always able to tell officers who his associates are. A similar gang of boys was recently charged with having killed a deaf-mute and robbing him of his funds. This took place on Twelfth street near Biddle. Two other youths were in the custody of officers for creating a disturbance and cursing in the corridors of Sumner High School, and just recently the principal of the Jefferson School was forced to have leaders of a gang arrested for flourishing knives and creating a disturbance at his school.

We site these instances because it seems to us that this is the crop from which we reap those who are so frequently charged with homicide and first-degree murder. Thus the question again arises—who is responsible for these youths? The parents, the churches and the schools are ready to wash their hands of the responsibility, so we will now turn our attention to the Juvenile Court. When we think of the gangs which are invading the schools, disturbing teachers, pupils and principals, we naturally wonder why these youths are not in school themselves, learning to improve their minds so that they may be more useful citizens in the community. Where are the truant officers? Surely somebody must answer these questions.

ther said that it is an example of the conflict between the poor of the two races in the South.

In these parts, in South Carolina, collisions between negroes and white people have greatly decreased, especially in the last twenty years. They are rare now.

Negroes frequently kill one another. It seems to The News and Courier that they kill one another oftener than they did a quarter century ago. The tragedies are common in cities and towns, where are no farm tenants.

The singular aspect of the matter is that men like Walter White, other negro leaders ("intelligentsia"), and the white "intellectuals" who "cooperate" with them in the Great Cities of the North, are not at all concerned about the slaughter of negroes by negroes.

One does not recall having at any time observed that the murder of one colored person by another in the South has brought forth a letter or an editorial in a magazine of the Uplifters; murder by negroes when negroes are the victims—not infrequently they are women—according to our reading,

## A Plea To The Race To Stay Out of Court

OCT 12 1940

Editor, Journal and Guide:  
Shall it forever be that the Negro will be considered less than all other races, that counts will decide cases by races? Shall it forever be that the Negro will have to be punished to stimulate and increase race prejudice among the whites, that when a white man kills a Negro he is freed, and when a Negro kills a white man he is likewise killed? Shall it forever be that the lives of all people are not equal, that Negroes in the eyesight of other races are not considered human beings?

Truly, I believe that more of the most important secrets among Negro people have been exposed in the courtroom than any other place of assembly. I am convinced that economic, social, recreational, educational, religious, and political problems have been studied and understood more by the white race, such as has happened among Negroes, during the past two decades.

I think the Negro should stay out of court as far as possible because of what is there waiting for him. Public sentiment in the South is that there is no place in court for the Negro, and since there is no place for him, my plea is, don't make one.

is looked upon as a privilege of the colored race or, at any rate, of not sufficient importance to merit the consideration of the negroes' Northern friends, black or white. Yet the fact of these negro crimes of violence (strictly negro) is shocking, and The News and Courier wishes that something could be done about it.

Further, when in Virginia, Alabama, Texas or other Southern state, a crime is done involving a negro and a white person, the Northern "liberals", editors, sociologists, humanitarians, and all that illuminating genus at once constitute themselves an unsworn jury, proceed to re-try the negro if he has been convicted, and then to exhibit him to a world aghast as the pure and innocent martyr to the race prejudice of white Southern tribesmen.

The right of the state of Virginia, of other states, to make and administer laws for the trial of felons is no longer admitted—indeed, by implication, it is now universally rejected in Harlem and other colonies of the superior enlightenment.

When a Southern commonwealth convicts a negro of crime, it, likely as not, will go

on trial, as it us jurymen, judges, lawyers, sheriffs, governors were savages. Indeed, Hitler's opinion of the Czechoslovakians or Norwegians is not more damning of them than is the concurrent judgment of the Northern "liberals" of the Southern commonwealths.

However, most of the people of these Southern commonwealths, of this generation, are habitually in a forgiving frame of mind, and they delight in testifying to it by their voting.



# NEGRO DELINQUENCY AND CRIMINALITY, CAUSES AND REMEDIES

DEC-28 1940

Editor, The "Montgomery Advertiser."

For the nearly 40 years that I have been a constant reader and subscriber of the Advertiser, I have found the editorials of your paper to be broad, sympathetic and generally fair toward my people. You have opposed lynching at all times, you have fought organizations hostile to the Negro as a race, showing that you believe in "fair play" for my people. In the advocacy of right and civic ideals your editorials have been among the strongest and best.

In the address of Dr. J. L. Horace, in Rev. Glen T. Settles' Radio program "Wings Over Jordan", Sunday, September 14, in discussing the above or a similar subject, the speaker named the main causes under two sub-heads which he described as the cause for the jails being crowded with Negroes; namely: "The Negroes Economic Insecurity," and "That Negroes are accused, arrested and jailed for petty offences of which they may or may not be guilty."

## American Negro a Loyal Citizen

I heartily agree with Dr. Horace and should like to begin my observations by stating first that, it is a well known fact that there is not a mere loyal citizen in the entire country than the American Negro. Though he may be abused, jimmied, disfranchised and robbed of his just part of the public education fund, in most cases he takes it without murmur or retaliation. But with all of these as known facts, should this country be involved in war with some other nation, the Negro will be among the first to take up arms in defense of the American Republic.

The Negro has fought in all of our wars in the defense of this country and has acquitted himself honorably and bravely on every occasion as a soldier. A monument of Crispus Attucks stands out on the Boston Commons reminding those who pass that Attucks was the first to give his life on the Boston Massacre, that America might live and be free.

## Bravery of Negroes in Past Wars

No soldier in the first World War, exemplified loyalty and bravery more substantially than did Henry Johnson and Nathaniel Roberts against the Germans on the battle field of France. The stories of the behavior of the Negro soldiers at El Canay and San Juan Hill in Cuba, during the Spanish-American War, will ever live in the pages of history. In every war in which the American people have been engaged, the loyalty and bravery of the Negro have been proved.

As nurses, cooks, butlers, bell-hops, maids, house-keepers and what not, the Negro has been loyal. As teachers, preachers and other professional and industrial workers he has been often arrested and put in jail, sometimes guilty and sometimes not guilty; the law says the burden of proof is on the state and almost always the state wins for the Negro has not the aid of his "peers," "Negroes" in the courts to plead his cause. When he is charged with crime, often he is not able to make bond or employ competent attorney to plead his cause and in consequence must go to jail. I do not condone crime no matter who commits it whether Negro or someone else. All criminals should be punished. But every one should have a fair chance. He may sometimes get into law entanglements for want of a job, food or other necessities for the support of his family. In many cases where jobs are to be given by WPA, NYA or other industrial agencies—if the Negro gets a job at all—he is the very last considered. The State and Nation must give the Negro economic security by giving him jobs and adequate pay for the work, a better distribution of school funds, better school houses, transportation of children to school, pavement of streets in Negro urban communities and better living conditions generally.

## Ignorance a Cause for Crime

Ignorance is another cause for crime. Better schools and longer terms will help to disperse the cloud of ignorance enveloping the race. Our great lamented leader Booker T. Washing-

## GENERAL

ton, used to say, that those in authority pay too great a compliment to the Negro's intelligence when they expect him to gain as much education for \$10 as the white child can for \$100. It is no doubt true that the whites pay most of the taxes but the Negro by his labor in the fields, mills, and mines and by rentals paid in help, makes it convenient for them to pay taxes.

Right now thousands of Negroes are being called to camps to make ready for the defense of America. He will not shirk. He will go wherever he is sent and will do his duty.

In consideration of the above observation, Mr. Editor don't you think the white South could and should do more for the economic security of its Negro people? Because of the "Advertiser's" wide circulation and great influence throughout the South and the Nation, it can contribute much advice and influence to this cause. A great majority of the Negroes will continue to live here in the Southland where conditions (all things considered) are best for them. I have been as far east as Boston, as far north as Detroit and as far west as Denver and found in most cases that the most progressive Negro to be found anywhere were either born, reared or now live in the South.

H. D. DAVIDSON, Principal,  
Bibb County Training School, Centreville, Ala.

EDITOR:

This article was sent by the writer to the Montgomery Advertiser.



## Coat Pocket Cut By Negro Thief

Herring Reports Loss of Billfold Containing \$14

A Macon man reported to police last night that he had been robbed of \$14 in cash by a Negro who cut off the pocket of his coat to get the money. The robbery occurred as he locked the door of the Macon Seafood Company, 151 Fifth street, where he is employed, at 7:30 p. m. W. W. Herring reported to Detectives W. B. Barber and W. C. Boowdon. He said the Negro ran off with his billfold containing the money.

City detectives were also notified last night of the theft of a black Goodrich bicycle from 811 Main street. It is the property of Norman Conn 827 Main street.

John B. Cumming, 856 Third avenue, Pleasant Hill, reported theft of a gray checked man's suit from an automobile at the rear of the bus station.

Detectives also were informed that a large roast beef had been stolen from a delivery boy's bicycle. The beef belonged to Grady's Thrift Market.

## Negroes Help Nab White Atlantan Who Attempted Robbery

Several colored men were credited Thursday afternoon with aiding in the capture of a white man who attempted to rob a whiskey store located at 61 Decatur Street, SE. 2-9-40

The colored men, whose names were not learned, were reported to have dashed into the store and grabbed the would-be robber after he struck M. Rubin, white, on the head with a blackjack.

Listed as Roy Holbrook, alias Roy Smith, 22, of 1433 Everhart Street, SW, the blackjack wielder was held by the colored men and Rubin until officers arrived and arrested him.

## NEGRO DODGES PISTOL BULLET

Harry Reynolds, Negro, 20 Kahn's lane, dodged a bullet and escaped unharmed last night when another Negro chased him into Len Berg's alley, detectives reported.

The Negro said his assailant had hit him in Spillers in an argument over a girl and had threatened him outside with a pistol. When Reynolds ran the other Negro followed and fired. Reynolds ducked into a dark entranceway.

The marksman escaped.

Theft of 75 yards of cloth from the Whittier Mill, Chattahoochee, Ga., on January 31 yesterday had resulted in 12-month sentences to

Grady Bagby, 24-year-old white youth, and Luther Pope, 40, Negro.

The sentences were imposed by Judge Jesse Wood, of Fulton County, after Bagby was convicted of simple larceny while Pope was convicted of receiving stolen goods.

Convicted on a lottery charge, Stanley Jones, 24, was sentenced to 12 months on public works by Judge

Jesse Wood in Fulton criminal court. He was arrested by County Patrolman Burton Carroll, who submitted in evidence three large sacks of lottery tickets, two adding machines and two note books which he said were seized in a raid on Brown's home last October.

## Nine Of Indicted Colored

Total of 36

Named in Bills

Of Eight Days

The Fulton County grand jury Tuesday returned 11 indictments against lottery suspects, making a total of

36 indicted on "bug" charges since Tuesday of last week.

Nine of the lottery indictments were against colored people. One colored person was indicted on a vagrancy charge. 2-28-40

Since the beginning of the drive by city and county police against the racket, law enforcement officers have been rounding up alleged lotterists, vagrants, speeders and liquor violators.

Colored persons indicted Tuesday on lottery charges were listed as Mrs. Rosa Lee Bloodworth,

45; Allen Brown, 42; Willie Dixon, 22; Mrs. Ethel Highsmith, Henry Johnson, 27; Mrs. Mary Liggins, 37; Ben Muckle, 26; Johnson Walker, 20, and Charlie Williams, 38.

Two white men indicted on lottery charges were listed as C. C. Nicholson, 26, and Paul Roberts, 42.

Two indictments were returned against Garnett Walker, one charging vagrancy, and another charging him with operating an automobile while he was intoxicated.

To date, 27 colored and nine white persons have been indicted on lottery charges; two colored and seven whites indicted on vagrancy charges, and one colored and one white indicted for speeding in connection with the drive against the "bug" racket.

## BAR LUNCEFORD AS BONDS-MAN

Sheriff Aldredge Tuesday issued orders barring Joel Lunceford, white convicted lottery operator, from signing bonds at Fulton Tower as agent for a Decatur street bond house.

County officers reported the arrest Tuesday of a colored woman, Mrs. Mary Liggins, at a cafe located at 290 Chappell street. She was booked at Fulton Tower on a lottery charge. Mrs. Liggins immediately made \$1,000 bond.

Special grand jury presentments urging exhaustive inquiries into the numbers racket, pardons, paroles and probation were predicted Tuesday after Solicitor General John Boykin issued the names of 29 convicted lottery operators pardoned within the past year by Governor

Rivers. The solicitor charged that the executive clemency had "undone all that has been done by law enforcement agencies to break up the racket."

## BIBB NEGRO DIES

IN ELECTRIC CHAIR

REIDSVILLE, Ga., March 22. (P)—Will Mims, Bibb County Negro, died in the electric chair at 11:13 o'clock today in expiation of the fatal knifing of Hattie Mitchell, white WPA worker of Macon. He made no statement.

The supreme court affirmed Mims' conviction and Governor Rivers yesterday denied a final plea for commutation to a life sentence.

Atlanta Ga. Constitution  
March 15, 1940

## RIVER CAMP FARM TO BE ABANDONED FOR ROAD PROJECT

Change Will Save County  
\$25,000 to \$35,000  
a Year, Says Chastain,  
Who Urged the Move.

The Fulton county commission voted yesterday to abandon its four-year-old farm program at the River camp in a move to bolster the county's public work force for a huge road repair program.

More definite plans for the road repair project will be formulated by the commissioners at a special meeting at 9 o'clock this morning.

Commissioner Troy Chastain, chairman of the board's agricultural committee, recommended the change, because, he said, it is too expensive and the 140 prisoners at the camp can be used to a better advantage on road work.

He pointed out that this change will save the county between \$25,000 and \$35,000 a year. Operation of the farm at present costs about \$90,000 a year. The board's action will not affect the dairy farm which is operated at the River camp.

farm equipment used at the River camp will be transferred to the Negro boys' industrial farm for use there in an expanded farm program. Chastain pointed out that the county already has farm land adjoining the institution.

Food stuffs raised at the River camp farm have been distributed to the other six camps, the jail, reformatories and alms house.

In planning for an expansion of public works activities, Commissioner J. A. Ragsdale was authorized to purchase a rock crusher for south Fulton highways.

A. A. Clarke, superintendent of public works, told the commissioners that the county roads are in an awful shape.

Atlanta Ga. Journal  
May 11, 1940

## Shooting of Boys On Atlanta Street Probed by Police

Detectives Saturday were investigating the apparently malicious shooting of two Negro boys by a member of a group of Negro men who were examining a .22 rifle on Fair Street Friday night.

The boys, listed as John Davis Lewis, 11, of 166 Walnut Street, and John King, 16, of 86 Vine Street, were both shot in the right leg. Neither was wounded seriously.

They told police they noticed a group of men "playing with a rifle" on Fair Street near Elm and that a minute or so after they walked by both were shot. They claimed they never had seen the men before and had no idea why they were fired upon.



# Eleven More Indicted In "Bug" Drive

The Fulton County grand jury Friday indicted 11 more persons in connection with the revived law enforcement campaign against the lottery racket.

Six of the suspects were indicted on "bug" charges while five more were named in true bills charging vagrancy.

Lottery indictments returned Friday were against J. D. Fears, 27; Mrs. Fannie Freeman, 28; John Shaw, 22; Mrs. Rosa Wilson, 28; Mrs. Rosa Henderson, and Glenn Moreland, 19.

True bills charging vagrancy were returned against James Andrews, alias Prince, 33; Ralph Crowwell, Ellis Dixon, James Sims, 28, and Miss Essie Jones, 19.

Since February 20, the grand jury has indicted 58 persons in connection with the lottery racket. City and county officers have been ordered to arrest lottery suspects, speeders and vagrants as a means of wiping out the "bug" firms.

Forty-one of those indicted were colored persons.

Thirty-six of the indictments were transferred Thursday from the Fulton Superior court to the Fulton Criminal court where the suspects will be tried.

Bond for each of the suspects indicted Friday was set at \$1,000.

The Fulton grand jury closed its two-month term Friday.

## Chauffeur, Maid in Fight

Morning peace and quiet of a fashionable home on Vineville avenue was disrupted at 9 a.m. yesterday as the chauffeur and maid "had it out" in the back yard, police records showed last night.

The home was that of the Sandford Bradseys. The owners are out of the city.

On the casualty list are Marion Bragg, Negro, 28, chauffeur who

told officers he had been left in charge of the house, and Mae Lamar, Negress, 32, maid, who Bragg said was his wife.

Bragg was treated at Macon hospital for shot wounds in the hand and side and the maid for "human bites on the back." Both are charged by police with disorderly conduct and the maid with shooting in the city.

Officers J. I. Beck and R. S. Aaron said the couple was arguing over use of the car with Bragg complaining that the woman always brought it back "skinned up." Mae reached for a .38 pistol in her bag, Bragg grabbed her and they fell to the ground. During the scuffle that followed, the gun went off twice.

The case will come up in recorder's court this morning.

## Man Hit by Car Was Not Killed

L. C. Wheeler, who was struck by a car driven by Snow Hill, Negro, last September at Piedmont avenue and Ellis street, was not killed but was seriously injured, Fulton superior court records showed yesterday.

In a story reporting the conditional pardon of Hill from a three to 10-year sentence, it was inadvertently stated that Wheeler was killed by the Negro's auto. James A. Belflower, attorney for Hill, called attention to the fact that Wheeler is alive and is employed in Atlanta. Hill was convicted by a jury of a felony—reckless disregard for human life. The Governor pardoned the Negro because of his physical condition. Belflower explained.

"Hill is suffering from an incurable social disease, has a collapsed lung, fractured skull, hernia, tumor, defective arms and limbs, and is partially blind," he said.

## Plucky Macon Woman Causes Arrest of Burglar in Elevator

A plucky Macon woman was credited by sheriff's officers yesterday with the capture of a youthful burglar blamed for the looting of many Vineville homes.

The woman, Mrs. Rhea W. Richardson, was in an elevator in the Georgia Casualty building when she recognized a Negro youth as a burglar she had seen at her home.

Instructing the elevator operator to keep the door to the cage shut, Mrs. Richardson summoned officers from the county courthouse.

Later, a questioning by Deputies Oscar Harris, John Gibson and J. C. Calhoun, suspect, docketed as Clinton Hall, Negro, admitted five burglaries, the officers said.

The burglar made two visits to Mrs. Richardson's home at 2516 Forsyth street, deputies related. On Aug. 24 he obtained a small amount of money. On the second trip, Sunday, he stole a chicken dinner that had been prepared for the Richardson family. In addition he took \$3.70 in cash.

Deputy Harris said Hall has been involved in several other burglary cases, and has a record in juvenile court. The suspect claims he is only 13 years of age but officers say he is "about 16."

Other burglaries, besides the Richardson crimes, admitted by the suspect included these: residence of Mrs. W. T. Colquitt, Pra-

DEC 12 1940  
A young colored woman was stabbed to death by a white man early Wednesday morning, according to city police. The two had apparently been drinking together at a rear Central Avenue, S. W., location, when the slaying occurred.

80

Officers who answered a call to Alice street between Central and Pryor around 12:15 a.m. Wednesday said witnesses informed them that a white man had just killed a woman in a nearby alley.

Upon investigation they found Rosa Mae Jackson, 25, of the rear of 475 Central avenue, S.W., prostrate on the ground, a stab wound in the heart region.

Witnesses said the victim had been on Pryor street to get a sandwich and had returned to her house with a young white man. There was reported drinking between the two and consideration of a "price," the police were informed.

When an agreement failed to materialize, the white man is said to have stabbed the victim several times in the chest.

The body was pronounced dead on arrival at Grady Hospital. It was then taken to Pollard Funeral Home, pending the finding of relatives.

Police apparently had few clues as to who the young white killer was or where he lives.

## Unknown Man Is Sought

Pair Had Been Drinking Together, Police Learn



# Four Merchants Face Indictment In Stamp Fraud

Federal grand jurors yesterday charged four Macon merchants and a Negro with swindling the government of "several thousand" dollars in connection with the operation of the Surplus Marketing Administration's Food Stamp plan here.

*The Macon Telegraph*  
Named in indictments, returned at Columbus, charging them with filing false claims against the government were J. M. Simmons, wholesale liquor dealer and operator of the Broadway Cash Market; L. A. Tade, proprietor of a wine shop at 336 Monroe street; Ralph Bobo, proprietor of Ralph Bobo's Grocery at 600 Third avenue in Pleasant Hill. E. V. Kembreu, proprietor of Dean's Grocery at 1624 Broadway, and Israel Snow, a Negro.

## First in Nation

The indictments were the first to result from the operation of the food stamp plan which was installed experimentally in Georgia in January and since has spread to many U. S. cities.

Under the food stamp system persons eligible for relief may buy \$15 in stamps (good for surplus commodities at authorized stores) for \$10, thus obtaining \$5 worth of foodstuffs without cost.

The government charges that the men named in the indictments paid relief eligibles from 25 to 50 cents each to purchase the stamps and then turned them in at local banks for cash. District Attorney T. Hoyt Davis estimated the government had lost "thousands" of dollars to schemers since the inauguration of the plan.

## Three Deny Charges

Informed in the Macon News of their indictment, three of the accused men, Simmons, Tade and Kembreu, expressed "complete surprise" and denied any knowledge of unlawful transactions in connection with the surplus marketing plan. A fourth, Bobo, declined to comment.

Mr. Simmons, through his counsel, W. C. Turpin, issued a state-

Atlanta, Ga. Constitution  
July 27, 1940

## Governor Tells N.J. To Keep Prisoner Now

### Man State Refused To Extradite Is Declared 'Troublesome.'

Georgia yesterday presented New Jersey with a 26-year-old Negro fugitive who once was refused extradition to this state and has now assertedly become a menace to New Jersey society.

In making the presentation, Governor Rivers used some good 14-karat words in pouring out his wrath upon governors who refuse to extradite prisoners at the proper time.

### Became Troublesome.

According to New Jersey officials, Samuel Buchanan, whose case aroused national attention last December, has now become troublesome and the state wants to turn him back to Georgia. But Georgia replies she doesn't want him.

When Buchanan was arraigned in Camden, N. J., on a charge of stealing \$45 in clothing from a Camden woman, acting Police Judge Mitchell Cohen told the prisoner:

"You have proved you are a menace to society. I hope Georgia takes you back this time."

### Rivers' Statement.

But after a conference with Grover Byars, chairman of the Board of Penal Correction, and Attorney General Ellis Arnall, Governor Rivers said:

"It is refreshing that they have found out that we were right about this Negro's being a criminal. Maybe sometime these governors that violate their oath of office by declining legal extraditions will learn their lesson and grant the bona fide requests made for the return of criminals from sister sovereign states.

"After their own people have been exposed to the activities of this criminal, they begin to squawk to Georgia to come and get him. We do not expect to spend any Georgia taxpayers' money by going to get him. Gov-

ernor Moore and the other officials made their bed with respect to this prisoner. Now let them sleep in it."

### More Like Him.

Governor Rivers added he would be glad to turn over to New Jersey some more prisoners like Buchanan.

The National Association for the Advancement of Colored People appealed to Governor Moore when Buchanan was picked up in Jersey City last year. Governor Moore decided that Georgia had exceeded its own laws in sentencing the defendant to 22 to 45 years for automobile larceny.

The prisoner was being held in Camden without bail pending word from Georgia authorities.

## Cowboy Game Brings Wound To Negro

*Macon Telegraph*  
Playing cowboy with real pistols almost proved tragic for at least one Macon Negro boy last night.

Detective E. L. Foster said James Butts, 16, 489 Short street, and Refers Carswell, 16, 702 Third street, were playing with pistols when one of them suggested, "Let's draw."

They drew and Carswell's gun fired, hitting Butts in the chest and on the hand. They are charged with carrying pistols concealed, carrying pistols without licenses and Carswell is charged with shooting in the city and shooting at another.

Butt's injuries were not serious. Investigating with Detective Foster was Detective J. L. McSwain.

DeLand, Fla., Sun News  
September 21, 1940

## Ride Awakening For Guardman Of Patch

ROCHELLE, Ga., Sept. 21—(UP)

—Frank Troutman, Negro farmer, had a bump on the head today to prove this story: It was a dark night so Troutman figured the time was ripe to trap the thieves who had been stealing his water-melons. He took his gun to the melon patch and sat down on a stump to keep vigil. By and by he fell asleep. The thieves arrived, plucked a fat felon and whammed it down on what they thought was a stump in order to break it. The melon broke, all right, but on Troutman's head. He awoke and screamed. The thieves fled in one direction. Troutman in another.



# Slayer Will Be Sentenced To Die in Electric Chair

NOV 27 1940  
LYONS, Nov. 26 — Jennings

Waddell, 40-year-old Negro, who confessed to the mass murder of four Vidalia Negroes, will be sentenced Wednesday to die in the electric chair.

Sentence will be pronounced by Judge R. N. Hardeman, dean of Georgia superior court jurists, in Toombs superior court.

A jury Tuesday returned a verdict of guilty in the case of the slaying of Otis White, three-year-old Negro boy. Waddell also was quoted as confessing the slaying of Fannie White, 65; Lillie White, 30, and Annie White, 12.

Officers said the four murders occurred on Saturday night July 20 when Waddell became angered because the women would not get out of bed to cook some steak he had brought to the home. The four were hacked to death with a hatchet.

Later tomorrow Judge Hardeman will also pass death sentence on Leroy Morton, Negro, in Louisville, Ga., Morton was convicted of slaying Louis Hubbard, a deputy sheriff of Jefferson county. Once before he was sentenced but was granted a respite pending a clemency hearing. Gov. E. D. Rivers announced Saturday that he would not grant a commutation.

The cases of Curtis Wilder and Watson Tapley, indicted for the murder of Pete Sharpe, Vidalia filling station operator, in Dec., 1938, will be called when court opens here Wednesday morning.

## East Point Man Is Convicted in Flogging Trial Cameron Sentenced To Serve 24 Months on Public Works.

Convicted on two counts of a five-count indictment alleging participation in south Fulton county flogging outrages, George Cameron, former treasurer of the East Point Ku Klux Klan, was sentenced yesterday to serve 24 months on the public works.

The jury which sat for two days hearing testimony in the case deliberated two hours in returning verdict. The jury acquitted

Cameron of three of the charges. Specifically he was charged with participation in the flogging of W. H. Ables on August 11, 1939, and D. M. Harper on July 7, 1939.

Sentence was passed by Judge John D. Humphries, who remarked from the bench "this is not a probation case. If the defendant is guilty as charged, then I consider it an anarchistic and seditious crime."

The defendant was calm as the jury brought in its verdict and the judge sentenced him. He made no statement.

Defense Attorney Harold Sheets filed a motion for a new trial and Judge Humphries set it for hearing January 4. Meanwhile, Cameron was released on \$2,000 bond.

During the trial of the case, Ables' wife identified Cameron as one of the three men who came to their house and took her husband away. Harper identified Cameron as one of his assailants.

The state was represented at the trial by Assistant Solicitor Quincy Arnold and Daniel Duke, special attorney assigned to the flogging probe.

Meanwhile, W. T. Walton, another convicted flogger, was denied a new trial by Judge Walter C. Hendrix. Walton was convicted of

participating in three floggings. His attorney indicated they would file an appeal to the supreme court.

Cameron's trial was the seventh of 17 indictments growing out of the flogging probe. In each of the trials convictions were obtained.

# Augusta Lawyers Seek To Free Condemned Slayer

## Convicted In Alleged Murder Of Deputy Sheriff

AUGUSTA, Ga.—Habeas Corpus proceeding against E. B. Henderson, warden of the state penitentiary at Reidsville, Ga., were filed at the federal building last Thursday by attorney's of Leroy Morton, Augusta Negro, under sentence of death for the alleged murder of Deputy Sheriff Louis Hubbard, of Jefferson county, who was found shot to death last year while raiding a whiskey still in Jefferson county.

Federal Judge William H. Barrett signed the petition Thursday and has called for a hearing in the case at Waycross, Ga. at an early date.

The petition alleges that the condemned man is being held in the state penitentiary against his will, and that when the defendant was found guilty by a jury his counsel was not present, and also that a poll of the jury was taken in the absence of Morton's attorneys.

Morton is in the death cell at the penitentiary and is scheduled to die in the electric chair on Dec. 13.



## Negro Held For Murder

SEP 19 1940

Alfred Waters, alias Tennessee Slim, 29, Negro of 205 Macon avenue, was held in Bibb county jail last night on a charge of murder in connection with the fatal shooting of another Negro, James Lowe, late Tuesday night.

Waters was arrested by sheriff's deputies shortly after noon yesterday at Swift creek on the Jeffersonville road.

At a coroner's inquest Waters confessed that he shot Lowe, the officers said.

Two other Fort Hill Negroes, listed as John A. Parker, 33, and Allen Denson, 30, was being held as accessories and a third, Toby Stewart, 33, Camp Hope, on a charge of aiding a fugitive.

Parker and Denson were arrested by city officers shortly after the shooting affray on Mitchell street.

## Cobb Bloodhounds Slain by Convict

Special to THE CONSTITUTION. MARIETTA, Ga., Sept. 13.—Cobb county's six bloodhounds, used by many neighboring county governments to trail convicts and escaped offenders, were found dead today.

Guards at the county public works camp missed the dogs Tuesday when upon the trail of an escaped convict. When they failed to show up after the capture of the convict near here, camp officials feared for their lives.

Today the convict confessed killing the bloodhounds with a rock as they approached him during his brief period of freedom. He took officers to the spot where the dogs lay dead.

The convict, Emanuel Miller, Negro, of Cobb county, was serving a sentence for robbing a Kennesaw liquor-store operator last fall.

## Two Will Be Sent To Death Today

Two Fulton county Negroes, under death sentence for murder, won 30-day respites yesterday while two others are scheduled to be electrocuted today at Tattnell for criminal assault.

Respites were granted by Governor Rivers to Willie Jenkins and Jimmie Lee Gibbs, who were convicted of the January, 1938, killing of T. W. Adcock, a West End grocer.

Curtis Barkley and Oscar Fields, convicted of criminal assault on a white girl, are the two who are scheduled to die today.

## Three More 'Bug' Operators Are Released

Two Pardons Conditioned Upon Payment of \$50 Fines.

Three persons convicted of lottery offenses in Fulton criminal court were pardoned yesterday by the Executive Department, clerks of the court were notified.

Those pardoned were: R. E. Harper, 24-year-old white man, who was sentenced to serve 12 months in January; Louise Chandler, Negro, who was given a four-month sentence in May; and Robert Andrews, 16-year-old Negro boy, who was sentenced to 12 months with nine months of the term suspended.

Pardons of Harper and the Chandler woman were conditioned upon their paying \$50 fines each.

The youth of Andrews was given as the reason for his pardon; Harper's wife is ill and needs his support, the pardon stated in this case. The Chandler woman is too ill to do physical work, according to the pardon.

## Third Man Held In Murder of T. W. Adcock

Investigator Suspect Admits Part in West End Slaying.

An alleged accomplice of two Negroes now under sentence of death for a holdup-murder was captured Thursday night in West Point, Ga., and has confessed his part of the crime, Calvin Cole, investigator for Solicitor General John A. Boykin, announced yesterday.

He was listed as James Williams, who admitted he was present in a car when T. W. Adcock, West End grocer, was killed during a holdup in January, 1938.

Willie Jenkins, who Williams said drove the get-away car, and Jimmie Lee Gibbs, one of two Negroes who entered Adcock's store, are now under death sentence but have been granted 30-day respites for clemency appeals.

City Police M. V. Moss and L. T. Bullard, together with officers in West Point, arrested Williams and with Cole obtained his written confession, they reported.

Another Negro, said by Cole to be named Oscar Morgan, is still at large, although under indictment for the murder. A bill of indictment against Williams is to be presented before the grand jury Tuesday.

## Negro Being Held In Shooting

LEESBURG, Sept. 29.—Sheriff J. D. McBride, who has been in charge of an investigation following the burning of the Johnson hotel in Smithville, last July, has made an arrest in the case.

Dude Tucker, Smithville Negro, was arrested and tried before Justice of the Peace E. B. Lee. He is still in jail here, having failed to make bond which was set at \$1,000.

## Two White Men Flee With Woolworth Cash

ATLANTA, [AP]—Two white men held a gun on a Woolworth company assistant manager Monday while they snatched a bag containing between \$1,000 and \$2,000 from a Negro porter on a crowded downtown street.

The manager, Nicholas W. Drewry, told police the holdup occurred while he and the porter were en route to the bank with the day's receipts. He said the holdup men jumped in a car and sped away before he could not the license number.

## Laurens Negro Faces Death Chair Friday

DUBLIN, Oct. 1.—Fred Anderson, young Laurens county Negro, is scheduled to die in the electric chair at Tattnell State prison Friday for the slaying of a white youth, A. J. Page, here three years ago.

Anderson is the first person to receive the death sentence from Laurens county since the electric chair supplanted hanging in Georgia.

Whether further efforts will be made to save the Negro, whose execution has twice been stayed, could not be learned today.

Page was shot on a crowded street here one Saturday night in July, 1937, and died the next day. A companion, Lyman Smith, was also wounded.

The slayer fled after the shooting, and was not located until two years later. He was arrested in Youngstown, Ohio, last year, and returned here after fighting extradition.

Following his conviction, attorneys for Anderson carried the case to the state supreme court, and the judgment was upheld. Governor Rivers then granted a respite, and later another.

## Negroes Slain In Shooting, Stabbing Here

Three Negro slayings, resulting from shooting and stabbing affrays, were being investigated by city and county officers last night. The dead were Carey Dean, 40, Gunn's lane, Villa Hand, 23, 258 May avenue; and Annette Persons, 24, 315 Watson's lane.

Police said Dean was stabbed in the heart with an ice pick. They quoted Willie Johnson, 18-year-old Negro youth, as saying he was defending his mother, Annie Laura Johnson, from attack by Dean. The Johnson woman suffered a possible fracture of her right leg when she fell while trying to separate Dean and her son, police said.

Dean was pronounced dead when the ambulance arrived at the Macon hospital. His mother was undergoing x-ray examination last night. Willie Johnson was held in the police barracks while Officers J. W. Long and J. W. Burden completed reports for Coroner Lester H. Chapman.

Hand died in the Macon hospital yesterday from gun shot wounds in the abdomen received late Saturday as he was walking on Dempsey avenue. Officers said Hand's assailant had not been apprehended.

Coroner Chapman said the Persons woman died at the hospital yesterday from stab wounds received Oct. 4. Nathan Persons, listed by officers as her husband is being held in connection with the case, the police said.

Inquests in all three deaths probably will be held today, but the coroner had not set the exact time last night.

Under treatment at the hospital last night was Clifford Jackson, Negro of a Gilmore street address, who suffered a gun shot wound in the left thigh. He said the shooting occurred while he was at a family reunion dinner in Skipper-ton and he did not know the name of the Negro who fired at him. Sheriff's deputies are investigating.



## Recover Machines Before Missed

Radio Patrolmen J. L. Langley and R. E. Finley recovered a typewriter and an adding machine early Thursday and arrested two Negroes on suspicion an hour or more before the machines were missed from the Hod Carriers' Building, at 53½ Decatur Street.

The policemen said Johnny Horton, 19, of Courtland Street, and Harry Johnson, 28, of Richardson Street, were unable to state where they "bought" the machines and why they were trying to sell them to a Decatur Street hotel operator.

Later they learned the Hod Carriers' Building had been broken into and the machines stolen.

Newnan, Ga. Herald  
November 14, 1940

## "Executive Clemency"

Having in mind to make comment upon the fact that the two negroes who were convicted of cruel murder some months ago and who have been several times saved by stay of execution, we are saved the trouble by our neighboring Meriwether Vindicator. The Vindicator comments as follows:

"Several weeks ago we mentioned the fact that an application for executive clemency had been made for two Coweta negroes convicted of the foulest and most cruel murder ever committed in the annals of that county. After partaking of the hospitality of their victim, they took his own gun, shot him, robbed him, left him dying, set fire to his house, and burned his body to ashes. Upon being captured they confessed the murder, giving the minutest details, which confession was duly corroborated by other evidence. Both had criminal records and there was nothing on the face of the earth to mitigate and demand mercy.

"We predicted that the governor would commute the sentence to life imprisonment. Since that time the governor declined to interfere but later granted two reprieves of thirty days each.

"We predict now that commutation will be made to life imprisonment."

It is interesting to note further that at the time of the crime the law forces of this county were especially quick in solving it through expert detective work and in jailing the guilty ones. As quickly as possible, the two men were brought to trial and found guilty. Up to that point, every movement had been made with the economy of speed. And now the guilty men are enjoying their keep at the expense of the state and county while the due processes of law are hindered and almost brought to a standstill. It is doubtless enough to discourage the most energetic law enforcement official.

## Car of Children Searched For Motorman's Bag

Because the motorman missed his change bag, a carload of Negro high school students were prevented from getting off a street car on Walton Street Tuesday afternoon until they were searched by Atlanta policemen.

The officers failed to find the missing bag, however, after all the children had been searched. They expressed the belief that the "thief" had climbed out a rear window and escaped.

The police who made the search were named as Radio Patrolmen Carl Maddox and S. W. Roper. They were assisted by special officers of the Georgia Power Company. No official report of the incident was on file at the police station Wednesday, however.

They were summoned, according to reports, by the street car motorman, whose name was not learned. The motorman reported he had missed his change bag, containing about \$5 in tokens, as he passed the Atlanta University Athletic Field. Driving the car into town, he switched it off Broad Street into a short stretch of dead track on Walton Street, where the officers searched all occupants of the car, both male and female, before permitting them to get off.

The car contained about 65 students of Booker T. Washington High School. Many of them made loud demonstration as the car moved through downtown traffic, shouting to pedestrians, "They won't let us off!"

The street car was No. 619.

## Respites Granted 3 Doomed Men

Two Coweta county Negroes and an Athens Negro, all scheduled to die yesterday for slayings, were granted 15-day respites by Governor Rivers to allow further arguments for commutation to life imprisonment.

The doomed men are: Eddie B. Hayes and Johnny Shropshire, sentenced to electrocution for the shotgun slaying and burning of Will Cannady, another Negro, in a farmhouse near Senoia last October.

Arthur Massey, alias Arthur Mills, given death sentence for the pistol slaying of a Negro woman, Irene Taylor, in Athens last April 10.

## Grocer Kills Negro Trying To Rob Store

Frederick Thomas, 16-year-old Negro was shot to death late last night while allegedly attempting to burglarize a Napier avenue grocery store.

Thomas and two youthful companions had already broken a rear window of E. L. Sherwood's store at 1102 Napier avenue, according to Deputy Sheriff W. L. Robertson.

Mr. Sherwood, who lived next door, had rigged up a burglar alarm system, and when the window was broken he was aroused the officer said.

When he saw the figures in the darkness he called on the burglars to surrender. This command was ignored and the merchant opened fire, Deputy Robertson said.

Thomas met almost instant death from a bullet in the forehead and another in the chest. Thomas lived nearby at 116 Bartlett street.

A companion listed as Lucius Glover, 14, 77 Ernest street, was shot in a shoulder and was under treatment at the Macon hospital last midnight.

The third in the group, listed as John Davis, 15, 75 Ernest street, surrendered. He was not wounded.

Mr. Sherwood fired a .32 calibre pistol six times, Deputy Robertson said.

Coroner Lester H. Chapman said after a preliminary investigation that an inquest will probably not be necessary.

## Police Probe Hold-Up Wave

A wave of hold-up robberies was being investigated by city detectives yesterday. One of the victims reported he had been knocked in the head and required hospital treatment.

J. M. Jump told officers that when he approached the Spun Oil Company service station in the 100 block of Vineville avenue, where he works, a man forced him at pistol point to walk behind the station and took \$30 in currency and \$15 in silver as well as Jump's billfold. The time of the crime was listed as 5:45 a.m. yesterday.

The wounded victim was listed as Cecil Wilson, 33, 264 Washington, who said he was hit on the head and knocked unconscious as he walked on Oak Haven avenue late Saturday night. He reported he was relieved of \$24.60 in cash, his tan slippers and his vest and coat. Wilson received emergency room treatment at the Macon hospital.

Mose Davis, 14-year-old delivery boy for the Mulberry market, reported two Negro boys about 14 and 16 years old robbed him of \$20 when they threatened him with a knife in the 500 block of Ocmulgee street.

## Stay Granted Doomed Man By High Court

DEC 5 1940  
Richard Smith Under  
Sentence in Slaying  
of Watchman.

The United States supreme court has granted Richard Smith, Negro, under death sentence, a stay of execution until January 15, according to an order received yesterday by the clerk of the Fulton superior court.

The order was signed by Associate Justice Felix Frankfurter.

Smith is under sentence of death in the October, 1938, killing of T. H. Heard, an elderly Rhodes Center night watchman.

In appealing to the nation's highest tribunal, Smith's attorneys set out that the Negro was not present in court when he was resented after the state supreme court had affirmed the case. Smith was in the death cell at Tattnell prison.

Solicitor General John A. Boykin contended at the time that the Georgia court had already held that such procedure was legal.

Later, Smith sought to block his execution with a writ of habeas corpus at Reidsville, site of the prison, but the move was unsuccessful.



Macon (Ga.) Telegraph

## Man Who Fled Bibb Gang Eight Years Ago Is Recaptured

After eight years of freedom, during which he married and raised a family, diminutive Willie Farley, 38-year-old Negro, is back in the Bibb county jail to finish a life term began in 1926 after he was convicted of the murder of a white man.

Willie labored in the Bibb chain gang for six years, facing a gloomy future. Then one day, on the advice of a white guard that he would never be sought, he quietly walked away.

For eight years Willie worked at various jobs, blissfully unaware of what the future held. He thought he had been forgotten.

But not so. During those same years Sheriff James R. Hicks Jr., and his deputies relentlessly dogged his footsteps from one Georgia town to another until they found him yesterday at Unadilla.

Willie and another Negro, Silas White, were found guilty of murdering E. W. Lingo in an East Macon robbery. White originally was sentenced to the chair but, after he broke his back in an attempt to escape from the Bibb jail, the governor commuted the sentence to life imprisonment.

## White Farmer Held In Connection With Auto Killing

SANDERSVILLE, Ga. (SNS) — A Washington County farmer, listed as Martin Harris, white, was reported under arrest Friday in connection with the death late Wednesday night of a colored woman, Mrs. Hattie Watkins, 65, who was struck down by a car alleged to have been driven by Harris.

Sheriff A. W. Smith said the car jumped a ditch, striking Mrs. Watkins and a four-year-old boy. The boy suffered a fractured skull, broken arm and leg and is not expected to live.

## Arrested Man Charged With Repeat Crimes

True Bill Says He Robbed One Man Three Times, Another Twice

An alleged robber who, police said, was in the habit of paying his terrifying and expensive visits to the same persons time and again, had one of the long arms of the law wrapped around his neck yesterday when the grand jury named him in a true bill charging seven felonies.

The indictment charged Alonzo Martin, Negro, with robbing C. S. Gaines, of 3185 Stewart avenue, three times and A. T. Harris, of 920 East Ponce de Leon avenue, twice.

It alleges Martin obtained \$27 from Gaines December 20, 1938; \$29, January 5, 1939, and \$39, July 16, 1940. He was accused of robbing Harris of \$40 December 15, 1938 and of \$35 June 15, 1940. Both Gaines and Harris operate businesses.

Likewise, Martin was charged with snatching the purse of Mrs. E. M. Martin, of 72 West Peachtree place, on June 15, 1940, and obtaining \$1.80 in money.

The Negro's arrest came when he allegedly robbed Miss Mary Curbow, of 765 Formwalt street, of \$28.25 on August 17 of this year. Miss Curbow is cashier of a laundry and on that date a Negro appeared in her office with a knife and demanded money. He made her place all the cash in a bag and with it he departed. City officers arrested Martin that night and said he still had the bag and the money.

In other true bills, Nathaniel Spivey and Thomas Sproul were

charged with the robbery September 10 of S. C. Terry, operator of a fruit stand on Peachtree road, when \$66 was stolen. Ed Brown, Negro, arrested at the same time Spivey and Sproul were caught, was freed by the jury. It returned a no bill in his case.

## Several Sought As Suspects in Bold Robbery

Victim Picks Rogues,  
Gallery Pictures Re-  
sembling Bandits.

Police yesterday were combing the city in search of several well-known underworld characters, two of whom were believed to be the men who in a bold daylight hold-up Monday robbed a Woolworth manager and a Negro porter of between \$1,000 and \$2,000 in cash.

Belief that the robbers were persons well known to Atlanta police was based on tentative identification of pictures in police files by Nicholas Drewry, the manager, who was robbed.

Shown pictures from the rogues gallery at police station, Drewry pointed out several men as possessing similar facial characteristics to the man who shoved a gun in his back as he walked on Broad street Monday afternoon while a companion snatched a satchel containing the money from the hands of Dyrus Cooper, Negro porter.

"I couldn't make a positive identification from the pictures," he told officers, "but if these men were brought face to face with me, I could pick out the man who held me up."

The robbery occurred at about 1:45 o'clock Monday afternoon, and was carried out so quickly that none of the passersby who thronged Broad street between Walton and Poplar noticed anything amiss. The robbers escaped in a green coupe, turning off Broad onto Poplar, before Drewry had time to note the license number.

## Negro Admits House Raids

A Negro listed as George Morris, 22, of Fourth avenue, has admitted entering Ingleside homes on six occasions and taking clothes, household articles and some money. Deputies Sheriff John Gibson and W. L. Robertson said yesterday.

Arrest of the daring daylight burglar should conclude the burglary scare in the Ingleside section, the officers said. The intruder waited until husbands and sons left the houses, then entered boldly. One house he entered three times and another twice. The officers said Morris pointed out the houses he entered.

Homes entered belong to Mrs. Martin Meadows, J. R. Dillon Jr. and B. D. Scharff.

## Negro Booked For Assault To Murder

Two charges of assault with intent to murder were docketed against Hubert Lavender, 40-year-old Negro, yesterday as a result of the shooting of two policemen in Pleasant Hill Saturday afternoon.

Officer Albert J. Milliron, one of the victims, continued in "fairly good" condition after a "restless night" at the Macon hospital. Officer D. W. Wheaton, who suffered only minor wounds, was able to be out.

Lavender was transferred from the police barracks to the Bibb county jail. He suffered a minor gunshot wound in the flesh of his left side, but required only emergency room treatment.

The shooting occurred in front of Lavender's home on Grant street after a two-mile chase by Officers Milliron and Wheaton in a police radio car.

Police reports showed the chase started when the officers saw Lavender attempt to deliver a can from his car in Gunn's lane. The can was described by policemen as a "typical whisky can."

Lavender fired a shotgun three times at the officers before the gun jammed, investigators said. Officer Milliron was struck by a load of birdshot in his right arm, and other shots peppered the surface of his chest. One shot hit Officer Wheaton in an ear, and other shots struck him on the arm and thigh.

Milliron fired several times, one of his pistol shots striking Lavender in the side and knocking the Negro down. Officer Wheaton fired four times, but none of the bullets hit their mark.

The officers had called for a wrecker which was being attached to Lavender's Pontiac car when the Negro came from behind his house with shotgun. Officer Milliron ordered Lavender to drop the shotgun and then reached for his pistol. It was then that Lavender fired the first time, police reported.

Officers said Lavender had a long police record, including several violent encounters with policemen. He also was one of the principal witnesses for the government at the trial of police officers in federal court on charges of conspiracy to violate the liquor laws.

## Jackson Charges Are Nolle Prossed

A criminal assault indictment naming Graham Jackson, widely known Atlanta Negro musician, was nolle prossed by Judge John D. Humphries yesterday in Fulton superior court at the request of the solicitor general.

Eleven men of the jury had been selected when Quincy Arnold, assistant solicitor, told Judge Humphries that facts about the case which he had not known when the trial began had been brought to his attention.

He told the court he had been informed Judge Luther Z. Rosser Jr., in the civil court of Fulton county had sifted the charges against Jackson and dismissed the case. Also, he said, civil damage suits had been filed against Jackson and that the solicitor's office did not wish to prosecute a criminal case in support of civil suits.



# Friday The 13th Is Lucky Day For Doomed Georgian

DEC 15 1940

WAYCROSS, Ga.— (SNS) — Leroy Morton had a lucky Friday the thirteenth.

Scheduled to die in the Tallapoosa prison electric chair on that date, Morton was granted an automatic stay of execution by Judge William H. Barrett of the United States Court, pending the outcome of a hearing in which counsel for the defendant seek to override the lower court and free the prisoner.

Morton was convicted of the murder of Deputy Sheriff Louis Hubbard, of Jefferson County, during a liquor raid. Convicted in November, 1939, Morton was sentenced to die in the electric chair and a motion for new trial was denied by the State Supreme Court.

## GRANTS TEN DAYS

Judge Barrett, after hearing lengthy arguments which extended into a night session of district

## Was Scheduled To Die in Chair, But Judge Saves Him

court, granted ten days for counsel to file briefs of their argument, after which he will render a decision.

Morton's counsel appearing in federal court on constitutional grounds contend that the verdict against their client was read in Jefferson County Superior Court at the time of conviction, without counsel being present. They argue that the "due process of law" provisions of the fourteenth amendment of the United States Constitution was violated in the trial court.

Because this ground was not set up in motion for a new trial before the lower court, opposing counsel argued that such action constituted a waiver.

## WOULD FREE DEFENDANT

Judge Barrett reminded counsel, during the hearing, that granting of a habeas corpus in the case, as sought by Morton's lawyers, would free the defendant entirely, bringing an end to the prosecution.

State Senator Wilmer D. La and Max Rubenstein, of Augusta, are counsel representing

Morton. Opposing counsel included Speaker of the House Roy V. Harris, of Augusta, Solicitor General W. H. Lanier of Metter Judge N. J. Smith of Louisville and Assistant Attorney Duke Davis of Atlanta.

Meanwhile, Morton was placed in custody of the United States marshal Friday night, becoming a federal rather than a state prisoner.

Atlanta Ga. Journal  
December 6, 1940

## Wilcoxon's Death Stayed by Court

Electrocution of a 17-year-old Cobb County Negro, scheduled for December 13, was halted by a Fulton Superior Court order Friday in a Habeas Corpus action filed in behalf of the prisoner.

The Negro, Lewis Wilcoxon, recently was sentenced to death at Marietta upon conviction of a capital moral offense and immediately was transferred to Fulton Tower here.

The execution automatically was stayed when Judge E. E. Pomeroy signed an order making the case returnable January 10 in the non-jury division of Fulton Superior Court.

The petition, filed by Attorneys William S. Shelfer and Elbert P. Tuttle, of Atlanta, claims the prisoner was denied equal protection under the law as provided by federal constitutional amendment, in that members of the Negro race are "internationally and systematically" excluded from serving on grand juries or trial juries in Cobb County.

They further contend the prisoner was denied "due process" under constitutional provisions, in that the court failed to make an "effective" appointment of defense counsel; that the defense made no defense at all; failed to use the witnesses available; made no motion for a new trial and filed no appeal from the verdict and sentence.

## Hit-Run Car Victim Found Dead On Road

DEC 14 1940

AUGUSTA, Ga.—Johnnie F. McDade, 23, was found dead early Sunday beside the pavement on Dean's Bridge road about six miles from the city limits.

The man's neck was broken, the right arm shattered and his face deeply lacerated.

Deputy Sheriff Walter Kent expressed the opinion that McDade was the victim of a hit-and-run accident.

The body was discovered by Albert Mixon, who told officers he was on his way to work in Augusta when he observed the body about 100 yards south of the Golden Camp road intersection.

Deputy Kent said that in his opinion the accident must have happened about an hour before the body was found as it was still warm despite the fact that rain had thoroughly soaked the clothing.



## USE OF SPOTTERS BY POLICE AIRED

### Council Committee Told Officers Hired Negroes To Trap Bootleggers

Testimony on the use of Negro "spotters"—many of them convicted bootleggers—to catch other Negroes handling illicit whisky in Macon was a highlight of the seventh session of the police committee trial of five police officers here last night.

The civil service hearing will continue at 9 a.m. today.

During the sessions yesterday afternoon and last night names of a number of Negroes known as spotters who are employed to tip off officers as to the location of tax unpaid whisky were brought into the trial either as witnesses or alleged bootleggers who were "protected" by some member of the police department.

#### Paid For Tips

One Negro witness told the committee he was paid \$2 by the city through the police department for each bootlegger caught on his tip.

Another highlight of the sessions yesterday was the accusation of Fred New, government agent who headed a federal investigation here of having been involved in illicit liquor dealings himself.

Defense counsel for the five officers introduced evidence through sworn affidavits and later by witnesses themselves that New had employed and paid two Negroes to transport and sell tax unpaid whisky for him.

#### New Accused

"After Mr. New I was the head man," testified Willie Thomas to the amusement of more than a 100 persons who had gathered in the city council.

Thomas declared he was in the liquor business with New in 1934 and that he hired Eddie Lee Collins to help him in hauling and selling the liquor.

Mrs. W. E. McCord, policewoman, testified that she "understood Mr. New's character was bad" and that she would not believe him under oath.

"If the things told me by the women in the red light district are true," she explained, "I know his character is bad."

#### Defense Offered

At the close of the seventh session, each accused officer was al-

lowed to make his own personal statement. They spoke in defense of themselves, not repeating testimony that had been given in federal court.

Records of the testimony had been read previously for the committee.

Testimony of about 15 witnesses who appeared in the federal trial several months ago also was read, and supplemented statements of nearly 50 defense witnesses who were produced in the morning session. They testified that the defendants were of good character and that Sammie Morris, spotter used by New in the investigation, was unreliable.

New was expected to appear on the witness stand, but his testimony given for the federal hearing was read instead.

#### Promised "Protection"

In the affidavit read by Mr. Butler and sworn to by Eddie Lee Collins, Collins stated that when he took the liquor job for New he was promised "protection" if caught and arrested and that New gave him money with which to get another automobile after the one used for transporting the liquor was "on the spot."

Witnesses called to the stand by the prosecution included Detective J. T. Smith, J. T. Millirons and Recorder George M. Nottingham.

A fifth witness, George Buckner, Negro laborer, stated that last year he was arrested for having tax-unpaid whisky, which he was holding for another party. At the city police barracks he was told by an officer to "take on myself" the entire blame for having the whisky, he related.

#### Bullard Accused

Officer Millirons said Buckner identified the officer to him as Bullard.

Cora Clark, Negro woman, testified she had never paid Bullard or McGahee "a penny" for protection when she sold liquor, but that McGahee had told her she would have to pay off.

John Owings, chairman of the police committee, is presiding at the trial which will continue this morning. Mr. Butler and E. F. Taylor are representing the accused men and City Attorney E. W. Maynard and J. E. Hall Jr. are the prosecutors.

## Two White Youths Rob Him Of \$10

Two white youths held up Albert Smith, of 2286 Felton Drive, apartment three, late Tuesday night and robbed him of \$10, he told police.

Smith said he had delivered a package to a Rock Springs Road address and had returned on his motorcycle when the robbers snatched a pistol and relieved him of the money.

### Something Is Wrong

The death of a young convict, still in his teens, who had been serving time at Georgia's "Little Alcatraz," the prison at Dallas in Paulding county, reveals that there is something definitely wrong with Georgia's administration of her penal system.

In the first place, a youth of such tender age should never have been assigned to a prison designed especially for incorrigibles and "hard cases." There can be no explanation to justify this feature of the case.

There are features, in fact, connected with the boy's case throughout that strongly indicate he should never have been doomed to convict stripes. Only 17 years old when first tried, he was convicted of participation in a robbery of which his elder brother, also convicted, declared the youngster was innocent. Nevertheless he was sentenced to from five to seven years, instead of being placed on probation or in some care which would have given him a decent chance for rehabilitation and an opportunity to start life again under kinder circumstances.

That he should have been sent to "Little Alcatraz" is inexplicable.

"Little Alcatraz" is the prison where, within recent months, half a dozen men have deliberately broken their own legs, by placing them between bars of their bunk supports and then twisting their bodies to fall off the bunk. The authorities in charge explained these self-mutilations as merely a trick of men trying to avoid work. However, no one with rudimentary intelligence will believe that six men would resort to such desperate means merely to escape normal conditions of labor. One man, or

two, of weak intellect, might. But not six. There must be something, behind the ostensible story, the public does not know.

The State Board of Penal Correction has promised full investigation into the case of Paul Staffins, the 19-year-old convict who died in Grady hospital on Sunday, with bruises and scars upon his body that are mute testimony in support of his story of brutal treatment. The youth told his father, before he died, he had been beaten over the head with a blackjack in the hands of a guard. He cried out in delirium, pleading in terror-haunted tones, "Don't let them beat me—don't let them put chains on me again."

Here is a Georgia boy, with every right to expect a decent chance in life, sentenced to long years for a crime of which his guilty brother, at least, swore he was innocent. Here is a lad, still under 20 years of age, assigned to the most severe prison in Georgia, doomed to live among men classified as the worst criminals in the state.

And here is a boy, dead, with bruises on his head, with discolored sores upon his ankles, with an injured finger, who cried, before he died, that these were the marks of beatings and brutality. And the official cause of death is pneumonia.

Investigation into such a case as this must not be perfunctory. There must be no attempt at whitewash. There must be a full report. Improper conditions, incompetent officials, if they be found, must be eliminated.

And the investigation should be made by responsible parties, not connected in any way with the authorities who sent Staffins to the Dallas prison, or who have anything to do, directly or indirectly, with the administration and operation of that prison—or of any other in the state penal system.



# Cruel, Inhuman Treatment Laid To Dallas Camp

## Ex-Prisoner's Affidavit Charges Beating With Fists and Sticks.

An affidavit charging attaches of the Dallas prison camp with personal violence upon him, and swearing he lost 53 pounds in weight during 17 days' service there was given yesterday by a former inmate to Russell G. Turner, attorney for the family of Paul Staffins, whose death after removal from the camp to Grady hospital, is under investigation by the State Board of Penal Corrections.

The ex-prisoner, Clarence C. Nicholson, said he and 15 other prisoners were received by a camp official, whom he named, with these words:

"I am going to feed you, but you have got to work."

**Hit Between Eyes.**

Whereupon, Nicholson charged, the officer "took his fists and hit me between the eyes, blackening both eyes."

On another occasion, he said, a different guard gave him permission to tie his shoestring and, when he leaned over, "hit me across the back with a stick he carried."

"This was a wooden stick," the affidavit continued, "the small end being about the size of a broom handle, but the other end was larger. This hurt me very badly. I had bruised places on my back as a result of being hit. Fortunately I was in good physical condition and could take this treatment."

**Credits Excellent Health.**

"I believe if it hadn't been for my excellent physical condition, I would have suffered permanent injury on account of the cruel and inhuman treatment received at Dallas camp."

Two of the guards mentioned in the charges were named likewise Thursday in an affidavit of another former convict, Edward Ramsey, 19, who declared young Staffins was among those beaten.

Three other affidavits were given Attorney Turner, who sent them to Chairman Grover Byars, of the corrections body, swearing no guard accompanied Staffins to the hospital, as claimed by W. A. W. Clay.

## HOUSE CLEANING

Marietta, Ga., Cobb County Times  
August 1, 1940  
(A Contributed Editorial)

THE JULY grand jury has moved promptly and vigorously to clean up what have been described as "dangerous and unsavory conditions" in the Vinings-St. John Negro communities in the southern part of the county.

As the result of a recent raid by county officers, indictments were returned against sev-

eral local Negroes and some from Atlanta and even as far away as Newnan, who have been making the communities a hideout and rendezvous. Many of these Negroes were found to have criminal records elsewhere.

Action by the grand jury followed an exposure of existing conditions which included drunkenness, fighting, gambling, rowdiness, immoral conduct, etc., often within earshot of homes along Log Cabin drive, one of the county's most substantial and progressive neighborhoods.

The county as a whole, it is felt, will benefit as a result of the grand jurors' action. It is such action by responsible leaders, in cooperation with law enforcement officers and the courts, that will attract new citizens of high calibre to the county as permanent residents.

Cobb county takes pride in her good citizens—white or colored. The decent, law-abiding, industrious Negroes have made real contributions to the progress and development of this region. It is not of these that we speak here, but rather of a different lawless and idle element which has sought to poison communities of quiet and orderly Negroes.

Montgomery, Ala. Journal  
July 27, 1940

## Georgia Tells New Jersey It Can Keep Fugitive Now

ATLANTA, Ga., July 27.—(INS)—New Jersey now can keep the convict on whom extradition to state authorities was refused last year, Gov. E. D. Rivers had ruled today as the eastern state sought to return Samuel Buchanan, 26-year-old negro, to Georgia because he had become "a menace to society."

In refusing to accept the escaped convict, who won national notoriety when New Jersey sought to protect him from the Georgia chain gang, Governor Rivers commented:

"It is refreshing they have found out that we were right about this negro being a criminal. Maybe some of these governors who violate their oath of office by declining legal extraditions will learn their lesson."

"After their own people have been exposed to the activities of this criminal, they begin to ask Georgia to come and get him. We do not expect to spend

the Georgia tax payers money in that way. Governor Moore (of New Jersey) and other officials made their bed. Now let them sleep in it if they can."

Buchanan had been sentenced in Georgia to from 22 to 45 years for larceny.

When he fled the Georgia prison system and took refuge in New Jersey, Governor Moore ruled the southern state had been too severe in imposing the sentence. He withheld extradition. The National Association for the Advancement of Colored People had pleaded Buchanan's case.

Arrested at Camden, N. J., recently on charges of stealing \$45 in clothing, Buchanan today was held without bail, pending final word from Georgia. Camden's acting police chief, Mitchell Cohen, was quoted as having told the prisoner:

"You're a menace to society. We hope Georgia takes you back."

## Robbery Plan Laid to Negro

County officers charged James Johnston, 19, Negro, with attempted robbery yesterday after he slugged two white men who gave him a ride from near Fort Valley to Macon. He tried to steal the car, Deputy Sheriff Walter Waldron related.

Mr. Waldron arrested Johnson shortly after he struck E. C. and P. L. Crook of Fort Valley near the Bloomfield road and U. S. highway intersection.

They picked up the Negro when they stopped to ask directions. They told Mr. Waldron. He was riding in the rear seat when he struck the Crook brothers and attempted to hit the driver, W. A. Brown.

The men turned on their passenger and subdued him, the officer said.

## Convict Taken In Gun Battle

Macon Telegraph  
August 31, 1940  
Fugitive Sighted

### By State Troopers

TIGNALL, [AP]—A gun battle with an escaped convict, in which the fugitive seized a passing Negro and used him as a shield against officers' fire, culminated in wounding and recapture of a man a few miles east of here Friday.

In Atlanta, State Safety Commissioner Lon Sullivan said Lewis Adams escaped about mid-August from a prison camp in Hancock county, where he had been serving a sentence for auto theft and burglary.

Sighted by state troopers and local officers on the Tignall-Lipsom road in a car, the suspect fled.

East of Tignall, Sullivan said, the car plunged into a ditch and was wrecked. Lurching from the machine, a .45 caliber pistol in hand, the fugitive opened fire on State Trooper A. O. Miller, Deputy Sheriff Brown of Wilkes county, and Washington city police. When the officers returned the fire, Sullivan continued, Adams sprang upon a passing Negro and used him as a shield.

While the convict thus stood off his pursuers, the commissioner said, Patrol Sgt. Eugene Hollis and Sheriff Horace Lunsford of Washington county came up in a second machine. A blast from Hollis' shotgun wounded Adams in the right arm and right side. The Negro was unhurt.

Removed to a Washington hospital, Adams' condition was described as serious.

## Boss Tries To Force Sick Man To Work, Both Slain In Gun Duel

SWAINSBORO, Ga., Aug. 1.—W. L. Yates, manager of the Swainsboro Resin Company, socially prominent and a successful turpentine operator, and Alonzo Pierce, Negro turpentine still employe, were killed in a pistol duel on the company's properties a few miles east of here last Wednesday morning, that ensued when Yates insisted Pierce report

for duty to his white foreman after Pierce had stated he was sick and was unable to work that day.

According to witnesses, when Yates was told Pierce whom he had missed from the turpentine still force, had reported sick, he

started out to find him, encountered him en route home and ordered him to go to work. Pierce

refused declaring he was ill. Yates repeated the order, at the same time drawing a pistol. Pierce also drew a pistol. Both men opened fire almost simultaneously. Several shots were exchanged before they slumped to the ground. When witnesses who dashed to their aid reached them, both were dead.



# Alleged Torturing of Suspects Arouses Citizens' Authorities

Hornsby, Hartsfield, Club.

women Call for

3 - Probe

By WILLARD COPE.

Swift reaction yesterday to revelation of a 16-year-old Negro boy's charge that a false confession to a petty theft had been wrung from him at police headquarters by burns with an electrically heated iron brought these developments in various aroused quarters:

1. Police Chief Hornsby was given a complete record of a new case involving alleged brutal beating of a Negro cab driver, and said he would take it immediately to the grand jury this morning.

2. Mayor Hartsfield declared the police committee of council, governing body of the department, would "not stop" until any existing third-degree methods were stamped out.

3. Hornsby, while saying he believed exaggerated the reports of the extent to which torture and beating were employed in "solving" cases, declared he had a specific step in mind which he would take when the situation developed suitably. He said many lawyers instructed clients to say they had been forced into damaging admissions.

4. The Georgia Women's Democratic Club in a warm session adopted a resolution urging careful investigation.

In the new instance of alleged brutality, Attorneys Scott Hogg and J. A. Feagin, representing William Humphry, 40, of 825 West Mitchell street, declared the Negro had been arrested February 29 by Radio Policemen Jim Galvin and J. D. Adams and that—while 20 witnesses were available to prove the prisoner was in good physical condition when arrested—he arrived at police headquarters severely battered that the station fess.

lieutenant ordered him sent to Grady hospital for treatment.

## Attorneys' Statement.

"You will note from the record," the attorneys formally wrote Hornsby, "that both arresting officers testified under oath that they did not touch this man, that no altercation took place, and that no violence of any kind was used

## Justice for the Weak

If the story of that 16-year-old Negro boy who shows burns on his arm and neck that they were inflicted by a city police officer during third-degree torture, proves true—and there is corroborative evidence other than the wounds themselves—an atrocity has been perpetrated upon every decent Atlantan.

The boy, of course, has suffered more than physical distress. He has been the victim of a society that has betrayed him. He has received horrible injustice at the hands of a social order created by a race which, because of its dominance, is obligated to protect the weaker ones.

It is, however, Atlanta itself, and every good citizen, that has been most grossly affronted. Today, reading and remembering the story of the boy, seared by hot iron until he confessed a crime of which he is, probably, innocent, there isn't a decent man or woman in Atlanta who does not feel shame.

There is especial obligation upon the city of Atlanta to see that the full truth of this case is brought to the light of day, that justice—and, if injustice has been done, full reparation—be accorded the boy. That, if the charges against the officer prove true, he be forever placed in position where he can never repeat the offense.

There is an ancient phrase, "noblesse oblige," which means the obligation of those more fortunate in life to protect the weaker and to live up to their own greater blessings. The very fact that the victim fills a humble role in life makes it imperative, for the good repute and good conscience of the city, that there be full investigation of the affair. The people of Atlanta will not be satisfied until the truth is incontestably made plain.

If such torture were perpetrated upon a stray dog or cat of the alleys an outraged public would demand proper punishment for the one who did it. When the victim is a boy, such as this, there can be no sleep unhaunted by conscience-driven dreams, until the wrong is righted.

## Victim of "Medieval Torture"

Fulton county authorities are investigating a charge that a city detective resorted to "medieval torture" to wring a confession from a 16-year-old Negro boy, charged with breaking into an Atlanta college and stealing a basketball.

It was only after he had been indicted and convicted that a humane woman who had formerly employed him and believed in his innocence visited him in his cell and discovered that he had been brutally burned on the hand and neck with an electric contrivance used by photographers, described by the boy as "looking like a soldering iron."

This warm-hearted woman reported his case to the proper authorities and the probation officer instituted an investigation. The boy repudiated his confession and contended that it had been extorted from him by the third degree and the branding iron.

"If the boy's story is true," said the probation judge, "no more shameful thing has ever happened in Atlanta," and the people of Georgia, generally, who have read the story will quite agree with him. If the charges are established the severest punishment provided in such cases should be imposed.

A vast majority of the people of Georgia feel that all forms of the third degree are wrong, but in a case so extreme as this indignation flames to a white heat.

There is no inclination to prejudge the case, but for the sake of the good name of the state and the harmonious relations of the two races, this charge should be probed to the bottom and if it be true, the officer who inflicted these injuries should be made a lasting example.



# One Convicted, Seven Jailed In Lottery Drive

Anniston, Ala. Star  
April 14, 1940

## Bad Samaritans

While walking across a footlog near a Georgia town one night recently, a Negro man slipped, fell into a ditch and broke his leg. Unable to move, he lay there groaning in agony until two other Negroes came along. Learning his condition, they bargained to lift him out of the ditch for fifty cents, to which he agreed. Then they charged fifty cents more to call an ambulance.

This story is a pitiful affront to the parable of the good Samaritan. It arouses the immediate sympathy of all for the poor darkie lying broken in the ditch and the misery he underwent, while a couple of harpies sold their services to him. "It is an outrage!" one can exclaim with ire in his voice and fire in his eye.

If we can become aroused over this, then it should be just as easy to be furious over quite similar conditions existing all about us in our daily lives. These similar conditions are not the sort that hit the newspaper because they are more of the ordinary. There's color in the predicament of a crippled Negro lying in a ditch, but the similar conditions are of less color.

Isn't this a parallel? A poor but industrious and honest man finds himself at a financial extremity. Before him there is no clear passage to economic salvation. Friends are unable or will not help him. What he has managed to amass in the way of clothing and furnishings are threatened unless he can get the money to pay off a handful of creditors.

With no other way to turn, this person turns to a usurer for the money to tide him over the emergency. In borrowing from the loan shark, he takes on the burden of a big interest rate, thus assuming a greater load than he had before. The Negro who fell in the ditch paid comparatively little for his assistance, and his suffering will not be so long-lived, but the man who borrows from the loan-shark has many days and nights of agony until the debt can be paid—if ever.

The loan shark acts similarly to the two unSamaritan Negroes, catching his victim financially lame and then charging to lift him out of the ditch of debt into which he has fallen.

## Bribe Payments Bared by Negro

MACON, Ga., May 2.—(AP)—While one federal court jury deliberated the fate of two city detectives on trial for conspiracy to violate alcohol laws, a Macon Negro who said he was a "pick-up man" for the "bug" racket today told another jury of paying two city policemen \$12 a week for the privilege of bootlegging whisky.

The Negro, Rubie Lavender, was the first witness to take the stand in the federal court trial of Patrolmen B. B. C. McGahee, M. F. Bullard and W. L. O'Cain on charges of conspiracy to violate internal revenue laws by trafficking in illicit whisky. The trial of the patrolmen opened immediately after a jury which listened to evidence for two days in the trial of City Detectives L. B. McCallum and G. C. Britt on similar charges had retired to consider the charge. Lavender, summoned by the government, refused at first to answer the questions of Assistant District Attorney T. Reese Watkins. Asked if he had been told not to testify, he answered in the affirmative, and named Officers Bullard and McGahee as the persons who had given him the order.

## Atlanta Leads Southern Cities In Crime List

## 30 Violent Fatalities Recorded Here in Three Months.

Atlanta's police record has outdistanced even Memphis—time-honored holder of first place—in the number of murders and instances of "non-negligent" manslaughter for April, May and June of this year.

However, it achieved only fourth place in the number of burglaries in comparable southern cities.

Its violent fatalities came to 30, as compared to 25 in Memphis; 19 in Birmingham, 17 in Dallas, 16 in Louisville, 12 in New Orleans, 10 in Houston, and seven in Richmond.

The figures were compiled by

the Federal Bureau of Investigation and made public yesterday. In the number of robberies Atlanta was third with 80, as compared to 144 in Memphis and 98 in Louisville. It was third from the bottom among the eight southern cities with 90 cases of aggravated assault.

The bureau reports quarterly on crime conditions throughout the country. It announced that police department personnel was increasing in all seaboard states, including Georgia.

## Negro Takes Shoes From Victim's Feet

"All God's chilluns didn't have shoes in Macon yesterday." Elmer Ballard, 959 Ocmulgee street, was left barefooted and broke he told city detectives, a man who held him at knife's point and made him take the shoes off his feet.

Detectives W. H. Barger and W. H. Bowen arrested Harry Reynolds, Macon Negro, on a robbery warrant.

## TWO GEORGIANS ELECTROCUTED

Pittsburgh State's Three-Year-Old Armed Robbery Law Snatches First Victim.

REIDSVILLE, Ga., Sept. 5.—(ANP)—Two men were executed in Georgia's electric chair Friday, one paying the first death penalty under the State's three-year-old armed robbery law. Eddie Brown, 30, of Valdosta, was executed for the armed robbery of a filling station in which a white man was wounded. He was convicted in Lowndes county superior court last May 27.

The armed robbery law, providing the maximum penalty, was passed by the Georgia legislature in extra session in 1937. Death sentences were imposed upon three white youths under the law several months later at Adel, Ga., leading to pleas of mercy from high officials of Georgia and Florida. Governor E. D. Rivers then commuted the sentences to life imprisonment.

Charles Josey, convicted of murder in Pike county, followed Brown to the electric chair.

## Life Sentence The Constitution Given Man in Atlanta, Ga., Adcock Slaying

## Prisoner Sentenced To Die Injures Head in Escape Attempt.

James Williams, one of four Negroes charged with the murder of T. W. Adcock, West End groceryman, in January, 1938, yesterday fared much better than two of his alleged companions who have already been convicted. They got the electric chair while Williams received a life sentence.

A Fulton superior court jury yesterday deliberated less than two hours in convicting Williams and recommending mercy.

Meanwhile, Willie Jenkins, one of the two under death sentence, was nursing a bruised head as the result of an attempt to escape while waiting in the court house detention room to testify in the case.

Jenkins, officers said, slugged George Raner, driver of the county prison van, but was quickly overpowered by Raner with a blackjack.

Jimmie Lee Gibbs, also under death sentence in the same case, ran when Jenkins made his bid for freedom but was seized by J. R. Newman, operator of the prisoner elevator.

A straight twelve-month prison camp sentence was meted Garnett Walker in Fulton Criminal court Thursday following his conviction of a lottery charge. Walker was accused of being a pick-up man.

City police reported the arrest of seven colored persons and seizure of a large quantity of lottery tickets during a raid late Wednesday on an alleged "bug" headquarters located at 170 Stafford Street, SW.

Those arrested were listed as George Starnut, Lulu Mae Johnson and Lottie Thomas, described by the officers as "bankers", and Oscar Strozler, Harold and Henry McLemore and C. E. Rose, accused of being lottery checkers.

Two adding machines and a typewriter were taken in the raid. It was the first raid on a suspected lottery headquarters since the revive drive against the bug racket about three weeks ago.

The Fulton grand jury met in a special session Thursday to discuss the lottery war. Approximately 15 indictments charging lottery and vagrancy will be presented to the jury for consideration this morning, it was revealed.

## Girl, 16, Is Accused

## Of Six Law Violations

The Fulton grand jury yesterday threw the book at a 17-year-old Negro girl whom police described as being "pretty tough for her age."

The girl, Lois Hodges, was named in four true bills which included six counts of violating the law.

She was charged with burglary of a pistol, watch chain and razor from Monroe Moon, of 620 Ashby street, S. W., on August 20, and with breaking and entering his residence a month later, at which time she is accused of biting off the tip of Moon's finger (mayhem), pointing his own pistol at him, and carrying a pistol without a license and carrying a concealed weapon.



# Rea Recalls Hanging Of Negro Years Ago

The lady in Kalamazoo, Mich. has the correct age of her family heirloom now, and we have a story of Charlotte and a few nights of horror back in the '80's. The case of Marshall Baxter has come to light.

A letter came to police headquarters Monday from Mrs. G. J. Lang of 1509 W. Main Street in Kalamazoo with an unusual request.

every night. Where he went, none of them knew.

They didn't know, that is, until they did some detective work.

Bob's body was found chained to the bottom of a creek. Marshall had killed him, and had come back often to be sure that no one had found out about the fatal fight.

There was nothing for him to do, then. They took him to town and hanged him. The date was April 29, 1885.

## HAS CLIPPING

What was the date, the lady wanted to know, of the hanging of Marshall Baxter in Charlotte? She had a torn clipping from a newspaper which told of Marshall's death, and it bore the date April 30, 18... But the clipping was torn, and the exact year wasn't shown.

The clipping had been found by Mrs. Lang in a family heirloom, and she wanted to know the exact date. It would help, she said, in establishing the age of the heirloom.

The police were sorry, but they didn't have any records on Marshall Baxter. The News didn't, either, but a story in Monday's paper brought results.

## CASE OF MURDER

And before the real story begins, we'll tell Mrs. Lang that her heirloom is 55 years old. Now, the story:

Marshall Baxter was a Negro worker who lived on the farm of Dr. Greene Rea in the county. Dr. G. L. Rea, son of the farm owner and now health officer of the city and county, was only a small boy, but he remembers something of Marshall and the others. It was 1885 when the trouble broke out, Dr. Rea says.

Marshall wasn't the only Negro who lived on the farm. There was a Negro woman, for instance, who attracted Marshall's attention. She also attracted the attention of Bob Hennagin, another Negro on the farm.

There was a bitter quarrel. Bob disappeared.

## BODY FOUND

Soon afterward, the Rea's began noticing something strange about Dr. Rea's prize saddle-horse. They noticed plenty of saddle marks, became suspicious, investigated.

Marshall, they discovered, had been taking the horse out almost



## Miner Kills Two; Fights Posse 3 Hours, Is Slain

*After-American 8-10-40*  
BOISE, Ida. — Pearl Royal Hendrickson, 50, a gold miner, was taken from his flaming cabin here on Wednesday, dying, after killing two U.S. marshals and standing off a posse of 50 for three hours during a gun battle resulting from his fight against an ouster from his claims. *Baltimore, Md.*

The miner first killed U.S. Marshal George Merfian when he and George Haskins, police captain, approached his cabin to serve an eviction writ. Hendrickson's claims lay in the district now converted into the Bogus Basin Recreation area.

Haskins returned again with deputy U. S. Marshal John Glenn. The miner killed Glenn also. On the third attempt a posse of police, county and federal officers, were ordered to blast him out. Refusing to surrender he answered with the shot which brought on the battle in which rifles and machine guns came into play.

With his cabin on fire and himself fatally wounded, Hendrickson was taken when the posse rushed the place. He died in an ambulance en route to the jail hospital.



# BOMBING MOTIVE SOUGHT IN LINK TO POLICY KING

## Bare Friendship of Nash

### Aid and Racketeer.

*Chicago Daily Tribune*  
Sept. 6, 1940

Police investigating the bombing of the home of Charles Bartels, private secretary and first lieutenant to Patrick A. Nash, Democratic leader, sought yesterday to learn if there was any connection between this violence and threats received two weeks ago by a colored policy king, who is also a Democratic politician.

The basement steps and rear windows of Bartels' home at 35 North Mayfield avenue were blasted Wednesday night by a black powder bomb. No one was injured, but the explosion shook the Austin residential district. Bartels' wife, Anna, and his daughter, Charlotte, 25 years old, were home at the time.

### Tries to Call Father.

Miss Bartels said yesterday that immediately after the explosion, she tried to reach her father at the home of James [Big Jim] Martin, the colored policy boss, at 155 South 15th avenue, Maywood. Bartels was not there [he had been at a softball game, he said later] but Martin hurried to the Bartels' home.

Chief of Detectives John L. Sullivan and Police Chief Richard Bailey of Maywood learned that two weeks ago Martin received letters threatening him with kidnaping unless he paid \$20,000. Martin left the city for several days at that time.

Bartels denied having any knowledge that Martin was in the policy racket, but said he had known him for 35 years and that Martin was valuable in bringing in the colored vote in the 28th ward at election time. Bartels, altho his home is now in the 37th ward, formerly lived in the 28th and is secretary and patronage head for the Democratic organization in the latter ward. Nash, his boss, is the 28th ward committeeman and is chairman of the Democratic county committee.

Tells of Phone Call.

Bartels, who could not offer a motive for the bombing, said he received a "peculiar" telephone call a week ago from a man who wanted to see him. The caller would not give his name, became argumentative and said: "I can take care of you."

Martin, who owns the Airplane inn, 1900 Lake street, moved into his Maywood home 12 years ago, paying \$16,000 for it. It is a two story brick building, ornately decorated and furnished. Martin has three expensive automobiles and it is reported that his mahogany bed set is inlaid with gold.

Several of Martin's white neighbors said yesterday that his living near them has depreciated the value of their property and they are resentful because Maywood police squad cars frequently are parked in front of his home.

### Arrested on Racket Charges.

Martin has been arrested several times on policy racket charges. Last February Everett I. Watson, colored, reputed policy king in Detroit, and his wife, Irene, were arrested in Martin's home. Watson was seized on a warrant issued in Detroit charging conspiracy to obstruct justice.

The policy racket is reported to have a turnover of more than \$18,000,000 a year in Chicago, much of this money coming from the Negro district on the south side. Amounts as small as 10 cents a number are wagered, the winning numbers being selected by the turn of a wheel. A handful of men, mostly Negroes, allegedly controls the racket.

Last March three Negro brothers, Edward P. Jones, McKissack McHenry Jones, and George P. Jones, reputed policy kings, were indicted by the government on charges of evading payment of \$2,067,026 in income taxes for the years 1933 to 1938 inclusive. They agreed to pay \$490,000 in settlement, criminal charges were dropped against two of them, and the third Edward Jones, agreed to plead guilty

# Kidnap Ring Makes 2nd Snatch; Baby, 3, Seized

*Chicago Defender, 8-31-40*  
*Chicago, Ill.*

Chicago's mysterious kidnap syndicate is believed to have snatched another victim in its clutches Monday, with the disappearance of little three-year-old Rose "Spanky" Crawford, from in front of her home, 4514 Calumet avenue.

The child, who was last seen talking with a young woman dressed in the uniform of a welfare nurse, had not been located up to a late hour Thursday.

Sgt. Thomas Brennan, fifth district, said that all indications point to the likelihood the child was kidnaped by the same woman who, on July 30, took a two-month-old infant from the home of its parents, Mr. and Mrs. Ervin Crosby, 4323 Evans avenue, on the pretext she was a welfare nurse. The Crosby baby is still missing.

A similar incident which occurred in Detroit a week previously led authorities to conclude the kidnap gang was working on a nation-wide scale. The parent in this latter case, Mrs. Etta Walker, told police the "nurse" had represented herself as coming from the Herman Kiefer hospital and that she had been ordered to bring in the Walker baby for a thorough medical examination.

Police have warned that the "nurse" in such cases will show every indication of being thoroughly familiar with the case history of the intended victim's child, and that parents should not relinquish their children to strangers without positively establishing the identity of persons who call on such missions.

# CRIME RECORDS OF UNION BOSSES BARED IN DRIVE

## Courtney Will Seek to Cut Off Flow of Cash.

DEC 16 1940

State's Attorney Courtney, it was learned yesterday, has laid out an intensive campaign against racketeering union leaders which he plans to put into effect with the advent of the new year.

His strategy will be to cut off the gangster's sinews of war—money. He plans to make sure that the control of legitimate unions is kept from the remnants of the old Capone mob, now headed by the astute Frank Nitti. The rich treasuries of these organizations offer an even more lucrative field for exploitation than the handbook and slot machine rackets, which also continue under attack by the state's attorney's office.

### Studies Police Records.

Another aim of the prosecutor is to prevent men with police records—and already identified with labor organizations—from remaining in key positions in Cook county unions. Many of them have been duly elected and cannot be forced out of office but the state's attorney's police have orders to keep close watch on them and see that their influence is minimized by scrutinizing elections when these office holders come up for reelection. The prosecutor will see to it, he asserts, that intimidation will not play a part in these elections.

Courtney moved vigorously in the last few months to bar the Nitti gang from the Bartenders and Beverage Dispensers' union. He obtained indictments against the syndicate boss and several of his henchmen, charging them with conspiracy to seize the organization.

### Court Ruling Spurs Action.

When Judge John F. Bolton ruled that George B. McLane, the state's principal witness, did not have to testify, despite vigorous protests by the state's attorney's assistants, the charges were dismissed in court. McLane, who for months had been complaining against the acts of the Nitti gang, refused to testify on the ground he might incriminate himself, and the court upheld his right to so refuse.

This admission by McLane was regarded as proof of the charges he had made previously against Nitti, and the setback to the prosecution has only whetted Courtney's determination, his assistants asserted.

Police have compiled the records of many of the present union officials who have been engaged in shady dealings or have been taken into custody. The list is a long one.

### Some of the Records.

Some of the better known possessors of records are:

MAX CALDWELL, business manager of Retail Clerks' International Protective association—April 25, 1932, six months probation on charge of assault with deadly weapon. July, 1934, indicted for conspiracy; found not guilty in June, 1935. Oct. 28, 1937, charged with assault; acquitted.

J. LIVERT [ST. LOUIS] KELLY, president of Negro Bartenders, Waiters, and Waitresses' union, local 444. Aug. 7, 1924, fined \$5 as inmate of a disorderly house. April 16, 1926, bonds forfeited on similar charge. Jan. 9, 1929, on year probation on charge of carrying a gun. March 6, 1931, fined \$2 for disorderly conduct. July 6, 1934, bonds forfeited on confidence game charge, changed to violation of bail bond law.

### Freed on Assault Charge.

LOUIS ROMANO, just resigned as president of Bartenders and Beverage Dispensers' union, local 278—June 20, 1923, charge of murder not Below are pictures of 14 labor union officials whose police records are on file with the state's attorney's office.



George Scalise

William Bloff





L. Kelly George McLane M. Caldwell



T. J. Burke N. Circella O. Kofkin



L. Romano W. Bosel E. O'Connor



C. Youngblood G. Meyers G. Novotny

Upholsterers and Furniture Workers' union, local 18—March 7, 1938, sentenced to Joliet, 1 to 10 years, for malicious mischief, June 16, 1939, sentence affirmed by Illinois Supreme court. July 29, 1939, entered Joliet; still there.

EUGENE O'CONNOR, business agent of Tent and Awning Makers' union, local 9—Dec. 20, 1919, received at United States detention barracks, Leavenworth, Kas., as army deserter. May 14, 1923, fined \$10 for disorderly conduct. Oct. 4, 1930, fined \$50 for disorderly conduct. May 12, 1932, six months probation for disorderly conduct.

OSCAR KOFKIN, vice president and business agent of Taxi Cab Drivers' union, local 777—Oct. 17, 1930, fined \$2 for disorderly conduct. Later arrested three times on similar charges; all dismissed. Jan. 18, 1938, dismissed on charge of carrying deadly weapon.

#### Sent to Reformatory.

NICHOLAS [DEAN] CIRCELLA, representative in Chicago of George E. Browne's State Employees' International—Dec. 13, 1915, plea of guilty to robbery and given probation for one year. Sept. 14, 1916, sentenced to Pontiac reformatory after plea of guilty to assault to rob; four charges of robbery stricken off. Sent. 1. 1921, paroled from Pontiac. April 23, 1923, discharged from parole.

GEORGE B. McLANE, business representative of Bartenders' and Beverage Dispensers' union, local 278—Dec. 22, 1922, found not guilty of robbery; charge of assault to murder stricken off.

MAURICE TIMPANARO, financial secretary of Cooks' and Pastry Cooks' union, local 88—May, 1928, arrested in Kenosha, Wis., as bombing suspect. June 24, 1933, arrested in Elmwood Park for breaking windows. Aug. 20, 1927, arrested in Des Moines, Ia., for investigation.

#### Released on Murder Charge.

JAMES BLAKELY, president of Miscellaneous Hotel and Restaurant Employees union—Jan. 30, 1935, arrested and held to Criminal court in bonds of \$10,000 on charge of attempting to murder his wife. Released when she refused to testify.

THOMAS J. BURKE, president and secretary-treasurer of Theatrical Janitors' union and first vice president of Building Service Employees' International—March 11, 1925, fined \$100 on charge of carrying a gun [under name of Joe Gould], Oct. 12, 1933, arrested in St. Louis, Mo., as suspect; released. April 14, 1938, arrested in Detroit, Mich.; no charge; released.

WILLIAM BOSEL, member executive board of Bowling Alley and Pin Setters' union, local 25B—Feb. 26, 1932, sentenced to six months in the Bridewell for petty larceny. July 24, 1933, fined \$1 and sent to Bridewell for five months on charge of contributing to delinquency [original charge was rape].

#### Records of Scalise and Bioff.

Probably better known to the public than any of the above are George Scalise and William Bioff, each of whom has served time for criminal activities.

Scalise became eastern representative of the Building Service Employees' International union in 1934. In 1937 with the aid of gangster connections he took over the presidency of this union and inaugurated a reign of terror among the other officers, who were allowed no voice in the affairs of the union.

Regarding the treasury as his private property, he arbitrarily raised his salary from \$12,000 to \$20,000. He also took huge sums for expenses and these were never accounted for. When it was disclosed that he had once served a term in the federal penitentiary for pandering, his union career came into the limelight. Recently, in New York, he was convicted of stealing from the international and was sentenced to 10 to 20 years in prison.

#### Indictments Pending Here.

Still pending here are indictments, obtained by Courtney, charging Scalise with embezzling \$118,000 from the 70,000 union members, most of them elevator operators, scrubwomen and janitors.

Bioff was tried in Chicago in 1922 on a charge of pandering and was sentenced to six months in the Bridewell. An appeal was taken and failed, but Bioff didn't go to jail. He stayed out and grew into a labor leader.

In 1936 he went to the west coast as representative of George E. Browne, president of the International Association of Theatrical Stage Employees, and became the boss of 35,000 members of the union.

State's Attorney Courtney learned of the sentence still unserved and started proceedings that forced Bioff's return. He was sent to the Bridewell in April and stayed there until Sept. 20. Released, he went back to the coast. Browne has defended him on the ground that his past record as a hoodlum doesn't count now. Bioff still has to face charges of evading income taxes of \$86,000 in 1937 and 1938.

crossed. June 10, 1927, fined \$25 for disorderly conduct. August term, 1928, grand jury voted no bill on charge of assault to kill.

CHARLES YOUNGBLOOD, business agent for Painters' District council—Feb. 26, 1920, fined \$200 and costs for disorderly conduct. Feb. 28, 1920, sentenced to Joliet prison for robbery; paroled in 1925. June 5, 1928, returned to Joliet for parole violation. Dec. 24, 1928, released on writ of habeas corpus. Jan. 17, 1929, returned to prison from writ hearing. Feb. 3, 1930, re-paroled. March 15, 1939, shot and wounded and would give police no explanation.

GEORGE MEYERS, business agent of Glaziers' union, local 27—June 30, 1930, charge of conspiracy quashed. Sept. 19, 1933, fine of \$200 and six months' probation on charge of assault and battery.

#### Still in Penitentiary.

GUS NOVOTNY, business agent of



# JURY CONVICTS MAN WHO SOLD LIQUOR TO HIGH SCHOOL GIRL

**Conviction Marks New Era in Southside Citizen's Efforts to Keep School Children Out of Liquor Stores and Taverns.**

CHICAGO, May 30.—A jury in Judge Jay Schiller's court returned a verdict of guilty in the case of Mike Feldman, charged with selling liquor to Margaret Johnson, 3220 State street, a student at the Wendell Phillips high school. A jury was dismissed Friday, May 17 in Judge Frank E. Donahue's court when it failed to reach a decision in the case. A fine of \$100 and costs was then imposed. It is understood that Feldman will file an appeal in an effort to make himself remain eligible to secure license to operate a liquor store. Feldman's brother, Harry was discharged two weeks ago at a bench trial by Judge Francis Borrelli after Assistant State's Attorney Aaron Andrews, attached to branch 34 of the Municipal court, located at 48th and Wabash avenue, charged Mrs. Maudelle Bousefield, principal of Wendell Phillips high school, with entrapment because she had interested herself very much in the case.

However, Assistant State's Attorneys Marshall Korshak and Burke, aided by Atty. Cyrus J. Colter, who tried the case against Mike Feldman, stated that in their opinion, Mrs. Bousefield's action in having the girl go purchase wine did not constitute entrapment because no deal in regard to this purchase was made with the police.

## IMPORTANT CASE

Many citizens who had interested themselves in the case, look upon the outcome of it regardless of the impending move for an appeal, as the beginning of a new day where it appears that liquor store owners and saloon keepers in the Southside district pay little or no heed to honest appeals made from time to time as to the manner in which they conduct their businesses in reference to the youth of the district.

It did mark the first "follow through" case where every obstacle was met and overcome with a persistency and intelligence of which only courageous and high type citizens are capable of maintaining.

given a two year prison term. Mrs. Dalvie Goodman, 42, of Cairo Ill., was given ninety days in jail.

Mrs. Anna Mae Welker, 22, of Chester, Ill., who told the judge a pitiful tale of being 'duped' by the others and of getting only one order in a fraudulent manner, was placed on probation for three years.

## Southside Crime

MEMBERS of the John R. Lynch Model

Community council are being told in the technique of the gangster that certain people on the Southside do not think much of model communities. The council has been conducting a campaign for several months to stamp out vice and lawlessness in the area bounded by Forty-seventh and forty-third streets and Michigan and South Parkway boulevards. Several members of the council have had the windows in their homes smashed. The campaign will be intensified.

The area is one in which more than a proportional share of the minor crimes of the city are committed. The council members have an important and difficult task before them.

The southside has long been in need of a vigilante group which would lend its aid to stamping out crime on the southside. It needed a group that would call the attention of the police department to a situation that is usually ignored. It needed a group which would awaken the property owners to the necessity of becoming interested in lending every effort to see that vice is decreased to a minimum on the South Side.

There is a direct relationship between the crime rate and property value of a neighborhood. An increase in crime causes a corresponding decrease in the property value. It is, therefore, important that property owners become actively interested in curtailing lawlessness in this area.

No doubt, the council members will have repetitions of the boomerang of hoodlums but their constant efforts coupled with the assistance of the police department and the property owners will eventually lead to beneficial results.

## TERMS GIVEN IN MAIL ORDER FRAUD SCHEME

**Women Plead Guilty to Using the Mails to Defraud Store**

EAST ST. LOUIS, Ill.—

Two Illinois women, indicted for using the mails to defraud in a merchandise swindling scheme, were sent to prison when they appeared in federal court last week. When Judge Fred L. Wham in East St. Louis.

The woman pleaded guilty to operating a "confidence game" through the mails. They were accused of obtaining merchandise valued at \$1,544 from a Chicago store through false credit references and recommendations.

Mrs. Rudell Poindexter, 27, of Chester, Ill., who admitted she was the "brain trust" of the ring, was

## 3 Policy Kings Get \$850,000 Back from U.S.

NOV 12 1940

[Chicago Tribune Press Service.]

Washington, D. C., Nov. 11.—The government, it was learned today, has quietly turned back to Chicago's Negro policy kings—the three Jones brothers—approximately \$850,000 in cash out of assets which were seized by federal agents last March when the brothers were indicted on charges of income tax evasion.

The original total value of the seized assets which were converted into cash and deposited in the United States treasury more than eight months ago was nearly \$1,350,000. The Joneses have now received what was left after slightly less than \$500,000 was deducted to settle all claims for taxes, interest, and penalties back to 1931, plus an additional sum covering a more recent claim on their 1939 tax bill.

### Compromise Is Fulfilled.

Thus the gamblers, former dining car waiters whose father was a Baptist minister, have fulfilled a secret compromise agreement with the government which was reached last May.

This agreement provides that the criminal charges of tax evasion, covering the years 1933 thru 1938, will be dismissed in the cases against two of the brothers, McKissack McHenry Jones, and George P. Jones. Edward P. Jones, the third brother and regarded as the leader of the trio, will plead guilty when his case is called for trial, accepting whatever sentence the court imposes. Maximum punishment is five years in prison and a \$10,000 fine.

It also was learned that Julian Black, Negro co-manager of Heavyweight Champion Joe Louis, has been in difficulties with Uncle Sam over income taxes and recently had to pay several thousand dollars in back

taxes to stay out of more serious trouble.

### Black Reported Before Jury.

Black, as well known as the Joneses in certain southside circles, was one of the many witnesses reported to have appeared before a federal grand jury investigating the incomes of Chicago gamblers several months ago. At that time, according to a reliable source, federal agents were interested in the income from a gambling establishment known as the North and South, East and West club, which also had a policy wheel, located over a drug store near 35th and State streets.

For a time it was thought that all the proceeds from the club went to Black. But he was able to show partnership with two other Negroes, Robert E. Jones and Sanders Scott, the source revealed, which materially reduced the government's estimate of his income. He was found to have owed more taxes than he had paid, however, and was called upon to make a settlement—which he did without delay.

### Quizzed on Fight Tickets.

It also is reported that Black was questioned before the jury about blocks of prize fight tickets, particularly tickets to Louis' championship bouts, which William R. Skidmore, alleged political go-between for the gambling syndicate, is known to have passed out at various times to politicians in the city hall and the county building. Skidmore, who reputedly arranges for the protection which makes policy and other forms of gambling possible, subsequently was indicted on charges of tax evasion and is awaiting trial.

Investigators noted that some one would have had to pay the fight promoters for the tickets. The government is said to have been anxious to know how Skidmore got them and whether they could be charged against him as another source of his income.

Black reportedly denied knowing where the tickets came from, although rumors are that the extra amount of taxes he paid was approximately the sum which would have been due on money equal to the face value of the pasteboards.



# TO FACE COURT FOR PARENTAGE HEARING DEC. 16

## Daughter Of Defendant Given Warrant For Father's Detention

NOV 30 1940

Suspended September 18

by the Board of Education pending a hearing of sex charges filed against him in August, Samuel R. Reed, a teacher at Phillips elementary school was ordered held for trial after a grand jury voted true bills in his case late Wednesday.

The 53-year-old crafts teacher, formerly supervisor of schools in Cairo, Ill., has ignored demands that he resign his position, but school officials indicated his dismissal will be sought regardless of the outcome of the trial.

The teacher was arrested August 30 after he appeared in felony court to answer charges filed by parents of a 15-year-old girl student. The student, now in delicate condition, is in the custody of juvenile authorities.

Reed has denied all but a fatherly interest in the girl. Following a hearing on moral charges Tuesday before Judge Edward F. Scheffler in Municipal court, trial was ordered continued until December 1.

He will be arraigned before Judge Victor A. Kula on December 16 to answer bastardy charges. Miss Wilhelmina Reed, his daughter, had him served with a sanity warrant Tuesday as he left court.

Knoxville Tennessean  
December 13, 1940

## One Of The Jones Boys Admits Evading Taxes

CHICAGO, Dec. 12 (AP)—Edward P. Jones, one of the three Jones brothers accused by the government of being the Negro "policy kings" of Chicago, pleaded guilty in Federal Court today to a charge of evading \$198,787.37 in taxes on his 1938 income.

Brothers George P. and McKisack McHenry Jones, with their auditor, Thomas Gilson, pleaded innocent to other counts of the indictment.

Assistant U. S. District Attorney John M. Kiely told Judge Philip

L. Sullivan the pleas were entered in accordance with an agreement reached when the Jones brothers settled government claims against them with a check for about \$481,000.

After Edward Jones is sentenced, he said, charges will be dismissed against the other two. Judge Sullivan set Jan. 21 for passing sentence.

It's smart to go skating in a Holland hood shaped like a little girl's bonnet. It's smarter if it matches a bright sweater or vest.

The human body in its embryonic state exhibits traces of gills like a fish's.



CRIME- 1940

# GUNMAN SEIZED, ADMITS HE SHOT POLICEMAN HERO

*Inquirer*  
3-10-40  
Trap Robber as Assailant  
of Kelly's Ex-Guard.

Andrew Foster, 26 years old, colored, confessed yesterday that he was the gunman who shot Sergt. Michael J. Curtin, former bodyguard to Mayor Kelly, Friday night. Foster, seized in his home at 4227 Calumet avenue, said his motive was robbery. He was wounded in the right arm when Curtin returned his fire.

The wound led to his arrest. Police learned that bloodstains had been found near a hall mailbox at 4545 Evans avenue. They traced the bloody trail to a third floor apartment occupied by Miss Rosella Jenkins and there found a bloody shirt and a .32 caliber revolver. Curtin was shot with a .32. Miss Jenkins said that when she returned from church Friday night she found her cousin, Foster, there, and that his right arm was covered with blood. She said he refused to tell her whether he had been shot or stabbed.

## Seized and Confesses.

Miss Jenkins gave Foster's address and a Wabash avenue squad under Lieut. John McAvoy and Sergt. Tom Brennan went to Foster's home and arrested him. He was questioned by Acting Capt. Albert Booth and Capt. John Prendergast, chief of the uniformed force, at the Wabash avenue station. He readily confessed, Capt. Booth said.

He said he had taken his gun Friday night and went out on the south side looking for a holdup victim. He saw Curtin walking at 48th street and Drexel boulevard, he said, and crossed to that side of the street. Then, he said, Curtin, who was in plainclothes, called:

"Hey, come here, buddy."

Shoots, then Flees.

Foster said this made him suspicious and that when Curtin reached

## 'Admits Shooting

(Story in adjoining column.)



[TRIBUNE PHOTO.]

Andrew Foster, at the Hyde Park police station where he confessed yesterday that he shot Police Sergeant Michael J. Curtin in an attempted holdup at 48th street and Drexel boulevard Friday night. Foster thought was a moving target and began shooting for a gun he fired first. He fled when Curtin fell and began shooting his police revolver. Foster said he had served time in St. Louis for robbery and in Chicago for purse snatch.

Sergt. Curtin, who was wounded four times, was given a slightly better than an even chance to recover. He is in Chicago hospital. Curtin, 46 years old and married, lives at 4637 Drexel boulevard.

He has been on the police force since 1919 and has won 14 creditable mentions.

Mayor Kelly visited the Hyde Park station to which Foster was taken after questioning, and looked at the gunman. No words were spoken.

ILLINOIS

# Jones Brothers Face Charge of Evading Tax Totaling \$1,000,000

CHICAGO.—The three Jones brothers who started out as dining car waiters and are now rated as millionaire policy kings were indicted by a special Federal grand jury, this week, on charges of evading more than \$1,000,000 in income taxes.

The indictment charged Edward P. Jones, 43, with attempting to evade taxes of \$803,650.33 for the years 1933, inclusive.

His brother, McKissack McHenry Jones, was accused of evading taxes of \$123,497.77 for the same years and another brother, George P. Jones, with evading \$93,306.49 for the years 1933 to 1937.

## Federal Man Accused

The indictments first in the policy field during the current investigation of income tax evasion of Chicago gambling kingpins, also accused Thomas R. Wilson, white lawyer and former Federal Deputy Collector of Internal Revenue, with aiding and abetting the Jones in the alleged evasion.

Government agents said the three brothers, came from Mississippi twenty years ago, worked as railroad dining-car waiters and then entered the policy game, profits of which rapidly pushed them up to a plane of "lavish living."

Agents said they cantered along park bridle paths garbed in the height of equestrian style, owned expensive automobiles and had chauffeurs, maintained a luxurious home and country estates. Edward, at least, frequently traveled to France, where he would rent a villa at Cannes for the season, they related.

## \$15,000 Daily Take

William J. Campbell, United States District Attorney, said the Jones's policy headquarters in the heart of Bronzewood had a daily "take" of \$10,000 to \$15,000, gathered in bets from 1 cent up from some 60,000 policy players who hoped to win in three drawings a day.

# Indicted Jones Bros. Operate Some of Chicago's Biggest And Substantial Businesses

## Alleged Million Dollar Tax Evasion Develops In Huge Policy Racket

## Former Mississippians May Be Replaced By Whites

CHICAGO—(ANP)—Although the policy game is generally looked upon as contributing only to the purses of the big operators, in Chicago the income from this form of gambling is leading the way in rallying legitimate business from the ravages of the depression, a survey shows.

Attention was focused on the strong local tie-up between the policy racket and legitimate business with the indictment by a federal grand jury of the three Jones brothers on charges of evading payment of over \$1,000,000 in income taxes from 1933 through 1938. At the same time it was rumored that more indictments could be expected of still other policy kings and that a white gambling syndicate was ready to step in and take over the lucrative business.

Unlike in most other large cities, the multi-million dollar policy game in Chicago is controlled by Negroes. The sentiment here seems to be that while policy is not generally approved, if this form of gambling is to exist on the Southside it will be tolerated only if headed by Negroes. Any attempt by a white syndicate to vigorously opposed, according to present indications.

The three Jones brothers—Edward, McKissack and George—own the biggest Negro department store in the nation. Called the Ben Franklin store, it is of the type outfitted by Montgomery Ward. Fixtures and merchandise are valued at around \$75,000 and there are 50 employees. The brothers own the building where the store is located and it is valued at \$30,000. This building also provides quarters for other legitimate businesses on 47th street, the main Negro thoroughfare, which otherwise would have to be located elsewhere because most of the stores and buildings owned by whites refuse to rent to Negroes. In this building the



Pittsburgh Courier has its Chicago office, the Cortez Peters Business school is operated and several other firms rent space.

The Jones brothers, incidentally are sons of the Rev. Edward P. Jones, now deceased, former president of the National Baptist Convention, unincorporated. They came from Mississippi with their father and mother a good many years ago and settled in neighboring Evanston.

Dan Gaines is another who has a large legitimate business. He owns the Dan Gaines Ford Motor Car agency on Wabash avenue, which has 20 employees and does an annual gross business of around \$300,000. With his wife as partner, he also operates the Gaines and Miller Loan company.

What is considered the finest Negro shoe store in America is operated on 47th street by Jim Knight, a former "Mayor of Bronzeville." Known as the Knight and Young store, it features high class shoes and averages \$50,000 annually in business. Knight also owns the Palm Tavern, one of the city's leading cafes, which grosses weekly around \$1,000. Both enterprises provide many jobs.

Leon Motts is one of the partners in the Riley and Brown agency, largest real estate firm on the Southside, which also deals in loans. Motts himself has made large personal loans to other Negro business men who were refused consideration at the banks and would have been forced to close shop had it not been for Motts' aid.

The two biggest drug stores in Chicago are owned by Henry Young. Called the Service Drug Stores, they do a yearly business of around \$165,000 and are valued at \$80,000. They have more than 30 employees.

Julian Black has a real estate firm and has bought up considerable property for both himself and Joe Louis. Much of Black's investment has been in neighborhoods bordering the Negro sections where restrictive covenants are in force to prevent Negro expansion from the overcrowded areas. He has brought this issue to the fore and has enabled Negroes to move into sections previously restricted to whites.

Because of these large investments in legitimate Negro businesses and the resulting jobs provided, as well as the aid given other colored businessmen, South-

siders are inclined to be less critical of the policy wheel operators than are Negro residents of other communities where the game flourishes under white control.

## Let Everybody Gamble or Nobody Gamble

*After American 3-16-40*  
Indictment of the three Jones brothers in Chicago, last week, on charges of evading a million dollars in income taxes was the big news of last week; and leads us to these observations: *Baltimore, Md.*

1. The Jones boys aren't smart. Where were they when Dewey was taking the numbers racket apart in New York, when Atlantic City put its numbers baron in jail, and when Baltimore, by a narrow squeak, found the late Tom Smith not guilty of backing numbers? The fight for freedom added five years worth of misery and gray hairs to Tom's head.

If the Chicago boys are in the numbers game, it's too bad they didn't take the broad hint and get out while they had a chance to put their dough into something legitimate.

### Observation No. 2:

Reform elements in Chicago gloated last week over the downfall of the Joneses. Said they, the boys had \$7,500 bathrooms in their three houses and bought \$2,700 mink coats for their wives.

Some of the suckers who bet their nickels in the Jones boys' numbers games had no bath tub at home and no overcoat at all.

Thus spoke the reformers. But, they didn't stop to consider that the gas and electric barons, the liquor barons, the auto kings, the 5- and 10-cent store queens and many another big business man and woman has gotten rich from the nickels of the people.

Is it any worse to have a \$7,500 bathroom or buy a \$2,700 mink coat from lottery nickels than from cigarette nickels or chewing gum nickels or chain store nickels or prize fight nickels?

What makes it right to get rich by selling electricity or water or gas to poor people, and wrong to sell them a lottery ticket?

Why should you be able legally to bet on a doped race horse or a dog race, buy stocks with the hope that they will go up, or be permitted to sell South American bonds today, that you know will be worthless tomorrow?

### This brings us to Observation No. 3.

Instead of trying to stamp out numbers, lotteries sweepstakes and other forms of gambling, Uncle Sam ought to quit his Anglo-Saxon hypocrisy and be consistent.

We say lotteries should be legalized and taxed for relief, hospitals and other public purposes. If we can't make legal numbers and sweepstakes and bingo, which are methods by which poor people gamble, then let us make it illegal also to bet on horse races and dog races, which are sports chiefly for the rich.

Let everybody gamble or nobody gamble.

## ED DICKERS TO 'TAKE RAP' FOR 'MACK,' GEORGE

### Oldest Brother Faces Five Years In Prison And Heavy Cash Fine

WASHINGTON, D. C.—In-

dications that federal action against three brothers, Edward, George and McKissack Jones, of Chicago, might be drawing to a close was given Saturday when it was revealed the defendants had offered to settle tax evasion litigations for a sum reported at \$500,000.

Caught in the government investigation of income tax delinquents, the brothers, described as Chicago's policy barons, were named several months ago in a case involving a civil claim for \$2,067,026.

The amount, according to United States investigators, represented unpaid income taxes dating back to 1931.

Although the brothers are known to have made the \$500,000 offer providing the government is willing to write off the entire claim, definite nature of the proffered compromise will not be known for several weeks, as negotiations are being closely guarded.

The criminal charges, according to a treasury official, will be disposed of in the following manner: One brother, Edward, will plead guilty when the case is called for a hearing next month, accepting the sentence that the District court imposes. The government then will ask that charges against the other brothers be dismissed.

The agreement provides no recommendation for leniency by the justice department in connection with the guilty plea of Edward Jones. He faces maximum punishment of five years in prison and a \$10,000 fine.

A federal grand jury indicted the Joneses for income tax evasion on March 5.

Within a few days after the returning of the indictment they found themselves virtually destitute. Liens for back taxes were plastered on their property and agents had seized

\$1,500,000 in cash and securities in their safe deposit boxes and bank accounts.

For years, federal officials are now pointing out gleefully, the brothers have been immune from any action by the local law enforcing agencies.

### Juvenile Delinquency

THE rising tide of juvenile delinquency in the city in general and on the southside in particular, has given civic leaders and police officials concern in devising methods to combat it. Minor and major crimes have been committed by youngsters with such frequent regularity that the committee on juvenile delinquency of the Wabash avenue efforts to the task of doing something definite toward eradicating it in a manner consistent with making these minor delinquents useful citizens.

*Chicago Bee*  
A few years ago New York City was disturbed with an unusual amount of crimes among its young people. Civic leaders and police officials got together and set up the Juvenile Aid Bureau of the police department of the City of New York to retrieve the youngsters from the clutches of crime and make them useful citizens instead of hardened criminals. After two years that Bureau reported a 40 per cent reduction in juvenile delinquency in a single district. The Y. M. C. A. committee proposes to work along the same line in its attack on crimes of youth in our community. It is hoped that the committee will meet with similar success in its undertaking.

The problem is too big for any single agency to completely eradicate it. It will take the wholehearted cooperation of the community and the parental discipline of the fathers and mothers of the minors concerned. It will necessitate the cooperation of the school board in ridding the Southside of its half day school which allows pupils too much idle time after school hours. The multiplicity of taverns should give their contribution to a solution of the problem by refusing to sell liquor to minors in accordance with the tavern laws.

The problem of juvenile delinquency on the southside requires effective solution. It is hoped that such solution will be found in the work of the Y. M. C. A. committee.



# SURVEY REVEALS INCOME HAS GIVEN JOBS TO THOUSANDS

## See White Interests Behind Tax Evasion Indictments

Although the policy game is generally looked upon as contributing only to the purses of the operators, in Chicago the income from this form of gambling is leading the way in rallying legitimate business from the ravages of the depression, a survey shows.

Attention was focused on the strong local tie-up between the policy racket and legitimate business with the indictment by a federal grand jury of the three Jones brothers on charges of evading payment of over \$1,000,000 in income taxes from 1933 thru 1938. At the same time it was rumored that more indictments could be expected of still other policy kings and that a white gambling syndicate was ready to step in and take over the lucrative business.

Unlike in most other large cities, the multi-million dollar policy game in Chicago is controlled by Negroes. The sentiment here seems to be that while policy is not generally approved, if this form of gambling is to exist on the Southside it will be tolerated only if headed by Negroes. Any attempt by a white syndicate to muscle in would be bitterly and vigorously opposed, according to present indications.

Found Biggest Business The pennies, nickles and dimes



Ed Jones

vest their earnings in the area from which their income is derived.

The three Jones brothers—Edward, McKissack and George—own the biggest Negro department store in the nation. Called the Ben Franklin store, it is of the type outfitted by Montgomery Ward. Fixtures and merchandise are valued at around \$75,000 and there are 50 employees. The brothers own the building where the store is located and it is valued at \$30,000.

This building also provides quarters for other legitimate businesses on 47th street, the main Negro thoroughfare, which otherwise would have to be located elsewhere because most of the stores and buildings owned by whites refuse to rent to Negroes. In this building the Pittsburgh Courier has its Chicago office, the Cortez Peters Business school is operated and several other firms rent space.

### Sons of Minister

The Jones brothers, incidentally,

are sons of the Rev. Edward P. Jones, now deceased, former president of the National Baptist Convention, unincorporated. They came from Mississippi with their mother and father a good many years ago and settled in neighboring Evanston.

Dan Gaines is another who has a large legitimate business. He owns the Dan Gaines Ford Motor Car agency on Wabash avenue which has 20 employees and does an annual gross business of around \$300,000. With his wife as partner, he also operates the Gaines and Miller Loan company.

What is considered the finest Negro shoe store in America is operated on 47th street by Jim Knight, a former "Mayor of Bronzeville." Known as the Knight and Young store, it features high class shoes and averages \$50,000 annually in business.

## POLICY KINGS GET FREEDOM FOR \$20,000

### Expect More Indictments As Government Pushes Drive On Taxes

#### SURRENDER

George P. and McKissack Jones, indicted recently along with their brother, Edward Jones, surrendered in the United States courthouse last Friday morning on charge of evading income taxes and posted bond in the amount of \$10,000 each. A surety company signed the bond.

Edward Jones was to have surrendered early Tuesday morning in the district court clerk's office, but his plans were disarranged when two property owners who were to sign his bonds notified him at the last minute that they could not go through with previously arranged plans. One suffered a heart attack, and the other secured a sale for his real estate that had been in negotiation

for some time. Edward, it is said, will seek a surety company now instead of individuals.

Thomas R. Gilson, white, a former deputy collector of the Internal Revenue Bureau, surrendered and was released on bond of \$5,000.

Gilson is charged with aiding and abetting the Jones brothers in evading income taxes which the government charges amounts to over a million dollars.

Following the bond signing procedure, the two Jones brothers and Gilson were taken to the United States marshal's office and finger-printed. It may be six months or more before they are brought to trial.

U. S. District Attorney William J. Campbell continued this week to probe into the sources of the fortunes in Chicago's huge gambling industry when he ordered his assistant, E. Riley Campbell, to present evidence for more indictments before the special federal grand jury. Just now the jury seems to be checking up on some of the testimony offered by men in the South side policy game to couple it with figures from the revenue department.

It is believed by next Tuesday that the government will have additional names to place on its indictment list judging from the rapid pace the jurymen are working in order to close their business by the end of this month.

The first bolt from the jury room struck on the South side last week when the three Jones brothers—Edward, McKissack and George—were accused in three indictments of evading income taxes amounting to over a million dollars. Also named in each of the indictments is Thomas R. Gilson, white, a former deputy collector of the Internal Revenue Bureau and now a practicing attorney. He is accused of aiding and abetting the Jones brothers in evading their taxes.

Ed Jones is accused of owing the government \$803,650.33 for the years 1933 through 1938; McKissack is accused of owing \$123,497.77 for the same six years, and George is indicted for evading taxes for only five years, 1933 through 1937, and the government claims from him \$93,306.49.

Immediately after the indictments were returned, Federal Judge John

P. Barnes set bonds for Ed Jones at \$25,000; for McKissack and George at \$10,000 each, and for Gilson at \$5,000.

It was learned that federal investigators have been conducting probes into incomes on the South side for some years prior to the indictment of William "Billy" Skidmore, who is accused of having protected the game. In the past month "big and little shots" engaged in the policy game, have been paraded before the special grand jury and examined and cross-examined by E. Riley Campbell, assistant to the district attorney. In some cases the men have appeared as much as six times.

The government, it was pointed out, is not interested in breaking up policy—that's a state matter—but the indictment of Skidmore brought to light the huge revenue that is obtained from it. Many who know the manipulations of the game stated this week that the government has its patronage highly overrated, and further pointed out that if figures in the newspapers are to be looked upon as correct, the Jones brothers must have been "magicians" to exact so much from the game.

In the case of the Jones brothers, it is believed the district attorney will meet stiff opposition in proving his figures in court since they contend they have complied fully with the income tax laws; have paid them from year to year and that all of their assets have been more or less tangible where a minute check-up could be made by government investigators at any time. The government, however, does not deny that they paid taxes, but contends it was not enough.

The present probe may not be restricted to the "big shots" in the game, but will go deeper and strike some of the high-salaried men who are in charge of the management of the wheels.



# Policy Kings Own Many Of Chicago's Legitimate Businesses. Survey Shows

CHICAGO—(ANP)—Although the policy game is generally looked upon as contributing only to the purses of the big operators, in Chicago the income from this form of gambling is leading the way in rallying legitimate business from the ravages of the depression, a survey shows.

Attention was focused on the strong local tie-up between the policy racket and legitimate business with the indictment by a federal grand jury of the three Jones brothers on charges of evading payment of over \$1,000,000 in income taxes from 1933 through 1938. At the same time it was rumored that more indictments could be expected of still other policy kings and that a white gambling syndicate was ready to step in and take over the lucrative business.

Unlike in most other large cities, the multi-million dollar policy game in Chicago is controlled by Negroes. The sentiment here seems to be that while policy is not generally approved, if this form of gambling is to exist on the Southside it will be tolerated only if headed by Negroes. Any attempt by a white syndicate to muscle in would be bitterly and vigorously opposed, according to present indications.

The pennies, nickles and dimes placed on policy bets have been the foundation for some of the Southside's biggest business institutions. Unlike the white syndicates elsewhere which take the huge profits to other sections of the city, colored numbers barons here invest their earnings in the area from which their income is derived.

## OWN BIG STORE

The three Jones brothers—Edward, McKissack and George—own the biggest Negro department store in the nation. Called the Ben Franklin store, it is of the type outfitted by Montgomery Ward. Fixtures and merchandise are valued at around \$75,000 and there are 50 employees. The brothers own the building where the store is located and it is valued at \$30,000. This building also provides quarters for other legitimate businesses on 47th street, the main Negro thoroughfare, which otherwise would have to be located elsewhere because most of the stores and buildings owned by whites refuse to rent to Negroes. In this building the Pittsburgh Courier has its Chicago office, the Cortez Peters Business school is operated and several other firms rent space.

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## OTHER BUSINESSES

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What is considered the finest Negro shoe store in America is operated on 47th street by Jim Knight, a former "Mayor of Bronzeville". Known as the Knight and Young store, it features high class shoes and averages \$50,000 annually in business. Knight also owns the Palm Tavern, one of the city's leading cafes, which grosses weekly around \$1,000. Both enterprises provide many jobs.

Leon Motts is one of the partners in the Riley and Brown agency, largest real estate firm on the Southside, which also deals in loans. Motts himself has made large personal loans to other Negro business men who were refused consideration at the banks and would have had to close shop had it not been for Motts' aid.

The two biggest colored drug stores in Chicago are owned by Henry Young. Called the Service Drug Stores, they do a yearly business of around \$165,000 and are valued at \$30,000. They have more than 30 employees.

Julian Black has a real estate firm and has bought up considerable property for both himself and Joe Louis. Much of Black's investment has been in neighborhoods bordering the Negro sections where restrictive covenants are in force

to prevent Negro expansion from the overcrowded areas. He has brought this issue to the fore and has enabled Negroes to move into sections previously restricted to whites.

Because of these large investments in legitimate businesses and the resulting jobs provided, as well as the aid given other colored businessmen, Southsiders are inclined to be less critical of the policy wheel operators than are Negro residents of other communities where the game flourishes under white control.

## 3 Jones Brothers Lose In Tax Case

CHICAGO, May —(ANP)—Edward P. Jones, southside policy king, will settle with the government for \$500,000 the tax evasion case involving a \$2,067,026 civil claim for back taxes against him and his two brothers, McKissack McKissack Jones and George P. Jones. It was reliably reported last Saturday. This sum, according to the report, will write off the entire civil claim of taxes dating back to 1931. Ed Jones, as the leader Jones brother is familiarly known on the southside, also has agreed to stand punishment, whatever it may be, on the criminal count, it was reliably stated. He is expected to plead guilty, thus absolving his two brothers, and will face maximum punishment of five years in prison and a \$10,000 fine. The agreement provides no recommendation for leniency.

## Indicted March 5

The Jones brothers were indicted by a federal grand jury last March 5 when similar indictments were returned against William R. Johnson, alleged head of the Chicago gambling syndicate, and William R. Skidmore, reputed to be his political liason. The case is expected to be called next month.

When indictments were returned for the Jones brothers, they hurried to Washington, and asked for terms. Liens have been placed on their property and agents had seized \$1,500,000

in cash and securities from their safe deposit boxes and bank accounts. Close connections say that the wealth amassed by the trio will be virtually exhausted after the government settlement plus payment of lawyers and other creditors.

## Huge Incomes

Enjoying huge incomes swelled by the dimes, nickles, pennies and larger bets placed daily on policy by members of a frustrated and desperate race, the Jones brothers have been legendary figures on Chicago's southside for some time. Living in separate apartments in the same building on South Michigan avenue with their families, they are known to indulge in lavish splendor as to household effects, clothing and expensive automobiles. Along with their gambling activities, they operate the Ben Franklin five-and-ten-cent store on East 47th street and several other legitimate businesses.

## LINK VIOLENCE TO GANGLAND EXTORTIONERS

## Underworld Demand For \$20,000 Believed to Be Back of Attack

SEP 28 1940

With orders to "shoot to kill," 10 guards armed with sawed-off shot guns stand watch day and night at the patatial \$35,000 Maywood, Ill. home of James "Jim" Martin, wealthy West side cafe owner and Democratic leader.

The guards were ordered to the home after gangster extortionists, seeking \$20,000 from "Jim," bungled a bombing Friday night.

## Bomb Wrong Home

The home bombed was that of Lee Lasine (white), 157 South Seventeenth avenue, Maywood. Lasine is an executive of the Lee Fabric company of Detroit. His home is on the northeast corner of Seventeenth avenue and Oak street, while Martin lives at the northeast corner of Fifteenth and Oak.

In cars and behind shrubbery, the guards stand watch awaiting the return of the gangster bombers, who have made threats that they would do a "good job" the next time.

Martin, owner of Martin's Corner and several other business estab-

lishments, is a leader in Democratic circles in the Twenty-eighth ward. He is a former exalted ruler of the Improved Benevolent Protective Order of Elks, and has been hailed as a friend to the poor man.

## Ask Police Aid

Martin, in seeking protection from the gangsters, explained to police that he was on the "spot." Gangsters have demanded \$20,000 and have sworn that they would assassinate him unless he complies with their wishes.

Until Friday, Martin had simply ignored the demands of the extortionists. Investigators, however, said they believed the \$20,000 may represent some sort of gangland "kickback" due in conjunction with the policy racket.

Several months ago Martin received a warning from the gangsters and a demand for the money. Charles Bartels, secretary of Patrick A. Nash's Twenty-eighth Ward Democratic organization, was called on the phone and asked to act as an intermediary. He was warned to obey or "be sorry."

Bartels refused and a few nights later on September 4, his home at 15 North Mayfield avenue, was bombed.



# Rev. Horace Takes Issue With Stratton On Policy; Says Preachers And Teachers Not Responsible

the worship spirit and discover the goal, the tools we must use, and the processes we must employ you will be better prepared to criticize and write.

**Editor's Note:** Rev. James L. Horace is pastor of Monumental Baptist church at 729 Oakwood boulevard and is president of the Illinois State Baptist convention. Samuel B. Stratton whose article on police appeared last week, is a member of the faculty of DuSable high school and is president of the Chicago City-Wide Forum.

Responding also to an invitation to participate in the open forum on policy I frankly take issue with Mr. S. B. Stratton. Probably I should

apologize for taking Mr. Stratton seriously since his article reflects such limited knowledge of the affairs of our city, the role of the educator and minister and such distorted concept of the psychology of the learning processes.

He makes some significant statements notwithstanding. May I frankly say that this is no defense for the policy system nor for any feeble-minded person who is weak enough to be interested in it. It is simply an attempt to have the garbage moved from in front of the doors of those who have not been able to prevent its creation or accumulation.

This strikes me as an attempt to leave the front yards clean of the citizens who created and allowed the garbage to accumulate but foul the premises of those who oppose the garbage but because of our system and political order are unable to have it moved.

## Gambler Can't Win

The policy enterprise is indeed the most damaging thing that has come to us in recent year. Any reform of gambling is a most tragic and destructive thing. It breeds the false philosophy of trying to get something for nothing. No man will be able to gamble his way to prosperity. Jesus said: "A corrupt tree cannot bring forth good fruit."

Police and all other forms of

gambling destroy men, soul and body. It robs them of moral consciousness and unfits them for decent society. No man wants to sweat and strive for the enrichment of life when he has had his mind poisoned into believing that probably a lucky number will bring the ease and satisfaction which honest people have toiled and sacrificed to achieve.

All systems of gambling are direct attacks on the goodness, wisdom and grace of God and are in direct conflict with the program of the church. From the beginning of time until the last syllable of recorded time, the church of God is always set over against, in unmistakable terms, all systems of gambling and dishonesty.

## Goal of Education

Any organization that winks at or conspires with the evil system falls from its lofty place, as the body of Christ, and has no further right to be masquerading under the banner of a church.

The goal of education is the building of character, and the emancipation of people that they may win freedom through the truth. And teachers who are not leading the learner into an awareness of the things which "make life rich and worthwhile" should not be addressed as teachers.

## Called Unfair

There can be no doubt that we have people in the pulpits and school rooms who are not fit to teach a puppy to jump through a hoop, but they do not represent our high type preachers and teachers. And it is unfair and undemocratic to brand those who work day and night to magnify lofty ideals because other fall short of the glory of soul growth and mental maturity. Mr. Stratton says 10 per cent constitutes 34 per cent of the relief rolls. Of course, his figures are inaccurate, but we will excuse him for that provided he is able to understand that preachers and teachers are not responsible for this.

The economic system that is constantly driving Negroes from pay rolls has no relief to make jobs for the more favored groups is certainly more responsible than teachers and preachers. This dreadful unemployment these days of misery and want are driving the drowning people of our group to catch at the proverbial straw.

and that is the cheap systems of others. Don't brand them all for the sins of a few.

## System Cruel

Our economic system is cruel and heartless. It is selfish and filled with racial prejudice of the rankest type and focused more largely at the Negro than at any one else and becomes the easiest prey of any evil device that offers a loaf of bread. Why not be honest and fair and say the trouble is with our economic order, our political system and our racial and social customs?

The majority race has fashioned certain restrictions for us and set our bounds and have tried to say they shall not pass, but under God we are passing the bounds, all limitations and all goals of our control and behavior.

## Unions Bar Race

The minister and teachers are they who have caused the Negro to achieve what he has. Had the Negro followed his preacher more closely he would be many miles further up the road.

Unions do bar Negroes, but their preachers and teachers are not the cause. This is a part of the same evil system.

These churches are still holding for the most part, to the program of advocating the pattern of life which Jesus taught, and lived and for which He died. So long as they practice this program and teach people what they should do, even though their methods may be poor and localized they could not be accused of giving success to the policy business.

## Blames Officials

Finally let us put the medicine on the sore Mr. Stratton, it may burn a little but let us put it on there anyway. Policy succeeds because the city administration permits it. It succeeds because our police force is not instructed to crack down on the evil system. As to why they don't crack down I leave to your vivid imagination to answer. Some two Christmases ago a friend said to me, "What is the meaning of all those officers going into that place?" Another well-informed citizen replied "They are going in there to get their Christmas turkey from that policy station." Mr. Stratton that is your answer.

## Gives Baskets

The preachers are a bad lot, some of them, and so are some of the teachers, and the best people on earth, who have the most for God and man are our consecrated, honest and upright preachers.

The Progressive Baptist church, Rev. T. E. Brown, pastor, gave away some 300 Christmas baskets worth \$5.00 each and are constantly doing worthy work for humanity all the way from Michigan boulevard to the darkest and most remote place of the Bush section of Africa, but Mr. Stratton, you don't see that. Probably you don't attend church enough to know of such.

This is going on among most of the Chicago churches in a more or less degree. I happen to know of this case and I apologize for not telling of other great pieces of work like it.

## Teachers Lifting

The teachers are lifting the curtains of ignorance, opening the eyes of the blind and unstopping deaf ears. They are the ones who are building the Negro through the modern educational processes, but the sad thing is some of them will continue to slip through our fingers and some of the teachers will be wolves in sheep clothing, but thank God, the teachers and preachers are due whatever glory there is to give out for whatever the Race has done in spite of its shortcomings.

God in the life of the Negro is responsible for all of his noble aims, all of his fame and all of his honor and the preacher has been the propagator of that.

## Reverse Story

Turn your story around Mr. Stratton, and say that the preacher and teacher have done all that has been done directly or indirectly. And the cheap corrupt political system of Chicago has protected policy and receives great income from it and all other vice systems like our houses of prostitution, our saloons and our reefer joints, our cesspools generally.

When Chicago wakes up politically and puts men in office who will hear the preacher and the church instead of conspire with the vice lords to crush them all evils like gambling and robbery will be curbed.

## City Hall is Target

Fire on the city hall, Mr. Stratton, and you will hit the target.

Nearly \$2,000,000 were spent recently to elect the mayor to a \$20,000 a year job. Did the preachers and teachers give that money?

So let us stop treating symptoms, Mr. Stratton, and get down to causes. Where you study the city setup a few more years, and attend church with more



## Rockford N. A. A. C. P. Investigates Complaints

armed robber, awaiting trial and jury action.  
Anthony Gray, white, 45, with a Rockford policeman in an effort to get them to "confess." Also under consideration by the parents of the boys are libel suits against local newspapers which carried accounts that all the boys had confessed to the robbery and that the robbers had stabbed Bray five times.

State's Attorney Robert E. Nash, whose assistant, Max Weston, is handling the prosecution, stated over the telephone that he was out of town when the arrests were made and know nothing of the facts surrounding the case. B. J. Wright, prominent local lawyer, will defend the boys.

## Vigilantes' Of Chicago Again Battle Crime

Bray is reported to be known as a chronic alcoholic who has frequently been thrown out of taverns in the Negro neighborhoods. On the night of the alleged robbery, he is said to have been ejected from a tavern operated by John Biggs because of drunkenness, annoyance to women customers, and demanding the right to fight "anybody." Prominent citizens quote Biggs as running a high class tavern, and as tolerating no undesirables regardless of race.

In response to a storm of protests and demands for action from irate parents and indignant citizens, Dr. Richard S. Grant, president of the Rockford branch N. A. A. C. P., has been quietly investigating charges made by the imprisoned youths that two of the boys were severely beaten by :

### A New Field of Crime

This new field of organized crime which Col. Henry Barrett Chamberlin, operating director of the crime commission, said began to flower after repeal wiped out the huge profits in bootleg beer and whisky, presented a challenge to socially minded Chicagoans.

The Association of Commerce identified with both the crime commission and the secret six in their early stages, is joining a group of 56 business, civic and religious leaders in an attack on labor violence and those who prey on legitimate unions. A special committee of the association has been formed for the sole purpose of bringing the killers of Hvid to justice.

Their spirit is reminiscent of that of the early '20s, when the crime commission, still a civic curiosity, decided that the best way to fight crime was to arouse public opinion and to make it felt by those public officials charged with enforcing the law.

g. Even then the crusading criminologists recognized the origin of racketeering and perhaps realized to what the would lead in time. "Organized crime is a manifestation of economic movement," Col. Chamberlin said. "In its present form (he was reporting

the so-called Wickersham committee, he it is the result of an increasing intelligence on the part of the criminal class—the application of the capitalist system by the predatory whites. As are not openly protected by the State forms of law.”

The crime commission went  
that work when there was a murder a da  
disin Chicago and when 500 burglari  
ate and 300 robberies were a month  
the average.

"The term is really as old as the Greek democracy," Col. Chamberlin said. "It was used in those days, and we thought it applied only too well to the gangsters in Chicago. We had a list of 150 Chicago criminals we wished to brand as public enemies. For practical reasons we decided later upon a list of 25, but there were three more fellows we felt we had to put on it, so the original list contained 28 names with that of Al Capone on top."

Possibly because the names were numbered, the impression spread that the public enemies were listed in the order of their danger to society. Chamberlin said this was not the intention of the commission. "It was merely a happy coincidence," he observed, "that Al Capone was No. 1."

**The Secret Six Begins**  
In the same year of 1930, the secret six began to function, preserving its existence through the better part of three stormy years.

It is difficult to list the accomplishments of the secret six because the records of the indictment and trial of prominent criminals during that period show only infrequent appearance of its operatives in court. Alexander Jamie, the handsome chief investigator of the secret six, claimed the society participated in the investigation of about 25 kidnappings and extortion cases, as well as several bank robberies. Available

at newspaper records, however, do not show that Col. Robert Isham Randolph, the organizer and chief, ever gave a specific example of a crime unsolved by the secret six. Less spectacular, though more productive, was the work of the crime commission, in those days headed by the doughty Frank J. Loesch.

Working methodically with the police, the state's attorney's office and insurance bureaus, the commission broke the back of one of the most efficient automobile theft rings in the world.

The job took 15 years, but when it was done the number of cars stolen in Chicago was reduced from 1-160 to 5 or 6, and insurance rates were brought down 20 to 65 per cent.

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## Charged With Evading Payment Of \$800,000 To Government

The Jones brothers—Edward, George and McKissack—charged with being the leaders of the South side policy game were named Tuesday in an indictment returned by the federal grand jury that has been investigating the incomes of Chicago gamblers. The government declared that the Jones brothers have swaded paying more than \$800,000 in income taxes ranging over a period of the past six years. The information stated that they are operators of the Harlem-Bronx and the Rio Grande wheels from which the huge revenue has been obtained.

District Attorney William J. Campbell claims that the brothers owe the government, including interest, more than \$1,250,000. He began over three months ago to probe into sizable fortunes on the South side when he secured the indictment of William R. "Billy" Skidmore (white) for failure to pay income tax. Skidmore was charged with giving the game proper protection from which he obtained weekly payments from the policy operators totaling as high as \$250 a week. Skidmore has been indicted twice. He charged that he made his money out of the junk business in which he is engaged.

For the past month District Attorney Campbell has paraded before the grand jury many of the leading policy barons of Chicago and several minor figures in the game in which he has pyramided evidence against the higher-ups in the racket. His investigation reached back covering a period of the past six years.

The huge "take" from the policy racket in Chicago—estimated at more than \$1,000,000 a week—was revealed by the "box car" size fig-

who have testified before the grand juries by the government when the cases come to trial.

District Attorney Campbell has

finished with the indictments of the It is reported that several who leading-leaders, it is thought, and is appeared as witnesses "told the now getting down to the "colored whole truth" concerning the ma- "section" of the game. It is appar-nipulation of the racket, including Brothers, that other indictments will mit perjury, for which they could follow in which many of the South have been indicted. They are ex-tide operators will be named. It pected to be used as material wit-ill not come as a surprise to many

1



# Drunk White Man Who Offered to Fight Causes Arrest of 4 Negro Youths

## Illinois Town Stirred By Charges Made By Ex-Convict Who Frequented Negro Neighborhood

### Rockford N. A. A. C. P. Investigates Complaints

ROCKFORD, Ill.—(ANP)—Because of a complaint signed by a habitually drunken white man, four Negro high school and former high school youths spent Christmas day in jail here under \$3,500 bond on a charge of armed robbery, awaiting grand jury action.

The man who signed the complaint, a Rockford policeman in an effort to get them to "confess." Also hands on his killers. Then it came to light that Hvid had put on it, so the original list—charged with being the federal grand jury that has returned the income of the Chicago gamblers. The government declared that the Jones brothers have evaded paying more than \$800,000 in income taxes the past six years. The information stated that the brothers are operators of the Harlem-Bronx and the Rio Grande

plaint against the youngsters, entered of the boys are libel suits which were the 32nd victim of violence contained 28 names with that of Al Capone on top. In the same year of 1930, the gangster over a period of the past six years, the information stated that the brothers are operators of the Harlem-Bronx and the Rio Grande

watch the fun. Reed is held on whose assistant, Max Weston, is \$3,500 bond charged with armed robbery. Clifton Edie, Harvey Matthews, Richard Benson, and out of town when the arrests of Robert Brown, all students or re-he facts surrounding the case. B. school, insist they were a block. Wright, prominent local law, away when the robbery is alleged. will defend the boys to have taken place. None of the boys have been charged with the robbery, and if convicted, all face long terms in the state penitentiary.

Bray is reported to be known as a chronic alcoholic who has frequently been thrown out of taverns in the Negro neighborhood. On the night of the alleged robbery, he is said to have been ejected from a tavern operated by John Biggs because of drunkenness, annoyance to women customers, and demanding the right to fight "anybody." From Chicago, where Martinus Hvid is dead would lead in time. "Organized crime and insurance broke the back of one of the present form (he was reporting to the world. history of the Chicago crime commission) The job took 15 years, but when the number of cars game in which he has pyramided evidence against the higher-ups in the racket. His investigation reached back covering a period of the past six years. The huge "take" from the policy racket in Chicago—estimated at more than \$1,000,000 a week—was revealed by the "box car" size figures on the indictments.

Chicago Again Battle Crime Vigilantes' Of Union Activities Stirs Them

BY W. W. HERCHER  
CHICAGO, Jan. 20.—(AP)—The vigilante spirit is stirring again in Chicago, where Martinus Hvid is dead would lead in time. "Organized crime and insurance broke the back of one of the present form (he was reporting to the world. history of the Chicago crime commission) The job took 15 years, but when the number of cars game in which he has pyramided evidence against the higher-ups in the racket. His investigation reached back covering a period of the past six years. The huge "take" from the policy racket in Chicago—estimated at more than \$1,000,000 a week—was revealed by the "box car" size figures on the indictments.

tors known as the secret six. Now comes the case of Martinus Hvid. He let his small public garage on the North Side the night of Dec. 28, 1930, to drive a customer home. He let the customer out and was about to drive him away when two men hauled him from the car and proceeded to beat him ferociously with a club resembling a baseball bat.

The customer ran indoors and called the police. And Hvid lay in the gutter of Buckingham Place until an ambulance arrived and took him away with a fractured jaw, a fractured skull and several vertebrae. He died two days later without regaining consciousness. In the wave of public indignation which followed his death it was disclosed that Hvid had been having trouble with a union for almost a year, and that \$4,000 had been spent in picking his place of business. Daniel Gilbert of the state's attorney's office attributed his death to labor terrorism, but the authorities confessed themselves unable to lay hands on his killers.

A New Field of Crime  
This new field of organized crime, which Col. Henry Barrett Chamberlain, operating director of the crime commission, said began to flower after repeal wiped out the huge profits in bootleg beer and whisky, presented a challenge to socially minded Chicagoans.

The Association of Commerce, plums of the secret six because of the mission and the secret six in their early stages, is joining a group of 56 business, civic and religious leaders in an attack on labor violence. A special committee of the association has been formed for the sole purpose of bringing the killers to justice.

Their spirit is reminiscent of the early '20s, when the crime show decided that the best way to fight crime was to arouse public opinion and to make it felt by those public officials charged with enforcing the law. Even then the crusading criminologists recognized the origin of rackets and perhaps realized to what they would lead in time. "Organized crime and insurance broke the back of one of the present form (he was reporting to the world. history of the Chicago crime commission) The job took 15 years, but when the number of cars game in which he has pyramided evidence against the higher-ups in the racket. His investigation reached back covering a period of the past six years. The huge "take" from the policy racket in Chicago—estimated at more than \$1,000,000 a week—was revealed by the "box car" size figures on the indictments.

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# U. S. INDICTS 3 JONES BROS. IN TAX CASE

## Charged With Evading Payment Of \$800,000 To Government

### EXTRA

The Jones brothers—Edward, George and McKissack—were named in an indictment returned by the federal grand jury that has returned the income of the Chicago gamblers. The government declared that the Jones brothers have evaded paying more than \$800,000 in income taxes the past six years. The information stated that the brothers are operators of the Harlem-Bronx and the Rio Grande

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District Attorney Campbell has finished with the indictments of the ring-leaders, it is thought, and is now getting down to the "colored section" of the game. It is apparent from the case against the Jones Brothers, that other indictments will follow in which many of the South side operators will be named. It will not come as a surprise to many



**Fruitful**

Records of the Indiana Department of Public Welfare show that crime for youth in Indiana has decreased almost fifty per cent during the past seven years. *Only more*

This fact stands out as a beacon of accomplishment as a result of the program for the benefit of youth which has been sponsored by the Democratic party, and the great benefits which have followed from this interest in young men and women cannot be counted in dollars and cents. *4-12-40*

For instance the records show that commitments to the Indiana State Reformatory at Pendleton have declined from a high of 1,312 in 1931 to only 763 for the fiscal year ending June 30, 1939. *At least 700*

In like proportion, the population of the state institution where criminals ranging from 16 to 30 years are sent, has been reduced from a high of almost 2,500 in 1932 to a low of 1,757 prisoners on January 1, 1940.

When men were desperate for food, when there was no hope nor outlook for young men or older men for that matter the barometer of crime for youth shot up like a skyrocket in those early days of the Hoover depression. The CCC camps, the NYA program and the Welfare program under the Social Security, unemployment compensation—all these have had a direct bearing on the decrease in crime statistics.

At the State Prison at Michigan City, where older men are confined, a noticeable drop in population is also recorded. The high point was reached in 1932 when the total inmates were 7,300. At the close of the last fiscal year the population was 6,814.



# MOVING PICTURES USED AS DEFENSE EVIDENCE FAIL TO HURT PLAINTIFF'S CLAIM

## Jury Awards Verdict of \$1,030 In Favor of John Gaines Against Insurance Con- cern for Total Disability

KANSAS CITY, Kas. — (Special) — The use of a moving picture as part of the evidence for the defense in a suit for disability damages against an insurance concern proved a boomerang last week in division No. 1 of the Wyandotte County district court when a jury returned a verdict of \$1,030 plus \$30 interest in favor of John Gaines.

The case marked the first time that a movie had been shown to a Wyandotte County jury as a part of the evidence. The jury returned the verdict in favor of the plaintiff who had sought \$1,000 under a total disability clause in a group life insurance policy.

Gaines sought the compensation on his claim that he was permanently disabled as the result of a back injury suffered October 1, 1937, while working in a local steel plant.

The insurance company introduced a film in an effort to show that Gaines' injury did not prevent him from doing manual labor.

The film, taken of Gaines who walks with a cane, was made without his knowledge, last May, according to court records.

According to testimony brought out at the trial, the insurance company, through its attorneys, obtained the assistance of Roosevelt Butler in the company's effort to

trap Gaines by taking pictures showing him at work. The attorney for the insurance company admitted in his argument to the jury that he had framed the movie stunt with Butler. Butler, who lives at 1136 Washington boulevard, is a Negro deputy city license inspector.

During the trial the testimony disclosed that Butler sought Gaines out and asked him to do him a favor. According to the testimony, Butler approached Gaines with the question, "Mr. Gaines, you are my friend and buddy, aren't you," to which Gaines replied, "Sure." "You would do me a favor, wouldn't you," Butler continued, according

to the testimony; and Gaines again replied, "Sure."

Then, it was stated in the courtroom, Butler told Gaines he had some junk that he wanted to have loaded into the latter's truck and dumped out in the country. Butler said he would not have the junk ready until "tomorrow noon."

The next day at noon, Gaines testified he was at the home of Butler with his truck. According to his testimony, Gaines loaded the junk which consisted of a "few empty cans, some wire, some worn-out automobile casings and a couple of empty whiskey bottles." During the time that he was doing this Gaines was unaware that he was being photographed.

Physicians testifying in the case for the insurance company insisted that Gaines did not need a cane. However, the pictures shown failed to support this testimony and showed clearly that Gaines used his cane throughout the time that he was loading the junk from Butler's home into his truck.

Moreover, testimony of the plaintiff disclosed that when Gaines went home later that day, his back was in such a bad condition that his wife had to unload the truck. As a result of the effort to do this work, Gaines was confined to his bed for two days suffering from back strain, according to his testimony.

The case was tried by Judge E. L. Fischer. The decision in favor of Gaines was returned Thursday afternoon, April 11.



## When Gamblers Fight

*Louisiana Weekly 7-6-40*

**F**OR the first time since the days of Tom Anderson and Basin Street section, the gambling houses of the city are closed. And the only remaining item on the list of the former gaming devices is the lottery racket. Of course, the petty card games are still carried on in the backs of beer parlors, etc. But the gambling organization has hit a low spot. Considering the money taken in by this racket, the Negroes who are contributors to the system should save a little money for the time being, or at least have more to place where the necessity is greater. But the lull in the gambling business is not due to any consideration for the public.

Reliable sources reveal that more than a million dollars annually is taken in through organized gambling. Of course, the business is not legitimate, and hush money is demanded. The present misunderstanding is due to the fight over the division of the spoils. The new administration made necessary a new setup in the gambling racket. However, no matter what precipitated the fight, the gambling of this city has been clamped down on. This is good proof that it can be stamped out. It is further proof that when, and if, a group of politicians who have the interest of the public at heart, are ever put into control of the State, vice and corruption can be limited. Of course, this question leads back to the matter of the ballot. Put voting on a just basis and give all the people the opportunity to vote in honest men (we have a few left) and politics must necessarily become of a higher quality.

If gambling can be limited during a fight over the graft, it can be eliminated altogether.

## SUSPECT ARRESTED IN THEFT OF PURSE

*Times Picayune Sept. 3, 1940*

James Kirt, 18-year-old Negro, 2312 Eighth street, was held Monday night by police for the alleged theft of a purse containing \$42 and other articles valued at \$30 from Mrs. Rene Huber, 1938 Washington avenue, last Friday night at Washington avenue and Saratoga street.

Mrs. Huber was riding in her automobile and when her chauffeur, Thomas Young, Negro, 1936 Washington avenue, slowed down a Negro jumped on the running board of the car and grabbed her pocketbook. *Times Picayune Sept. 3, 1940*

Kirt was arrested by Patrolman Elmo Evans at Eighth and Howard streets and is said by police to have been identified by Mrs. Huber and Young.

## BURGLAR SUSPECT IS SHOT IN BACK

James Moore, 27-year-old Negro, 1800 Dumaine street, was shot in the back and wounded seriously Thursday morning when he allegedly attempted to escape after grappling with Patrolman Charles Gonzales in front of the home of Mrs. Edward McMahon, 713 Poydras avenue, Algiers.

Patrolman Gonzales said he was patrolling his beat when he saw the Negro, whom he recognized as being wanted for investigation in connection with a recent robbery, enter the home of Mrs. McMahon. When he tried to arrest the Negro, Patrolman Gonzales said, Moore attempted to grab his revolver and engage him in a struggle.

During the struggle Patrolman Gonzales said he drew his revolver, and as the Negro ran off he fired one shot which struck Moore in the back.

The wounded Negro was taken to Charity hospital where doctors reported his condition as serious.

## THREE ARE HELD AFTER ROBBERY OF DELIVERY BOY

Two Negro men and a woman were being held Thursday night by police in connection with the robbery Wednesday night of Albert Wallace, Negro, 16 years old, 413 Burdette street, delivery boy for a restaurant at 7839 St. Charles avenue.

Those under arrest are Robert Felix, 29, 1227 North Derbigny street, Rudolph Shedd, 22, 423 Saratoga street, and Hazel Wilson, 25, 1207 Saratoga street.

At 10:30 p. m. Wednesday Wallace was sent to 7624 Benjamin street to deliver whiskey, cigarettes and sandwiches. In front of the house he met a Negro man and woman. The Negro man asked the delivery boy for change for \$10 and the boy returned to the store for the change. Upon his return, he said, the woman took the merchandise and the man drew a knife and took the \$10 in change. He said the man and woman then escaped in a taxicab driven by a third Negro.

Arrested several hours later, Felix is said by police to have been identified by the delivery boy as the man who took his money and Shedd as the driver of the taxicab. After the arrest of the two men police arrested the Wilson woman.

## HOLDUP SLUGGING VICTIM DIES; TWO HELD, 3RD SOUGHT

Official Verdict Withheld  
Pending Report from  
City Chemist

Slugged and robbed of his watch and chain by several Negroes at North Claiborne and Ursuline avenues at 1:45 a. m. July 11, An-

drew Laguaite, 61-year-old bartender, 1814 Laharpe street, died Thursday morning at his home.

An official verdict as to the cause of Laguaite's death was withheld by Dr. C. Grenes Cole, coroner, pending a report from the city chemist and bacteriologist on an examination of the brain and stomach contents.

Coroner Cole reported there was no evidence of a brain tumor or fractured skull or of body injuries with the exception of a fractured nose. He said he found a slight congestion in the brain, liver, spleen and kidneys, and had sent the brain and stomach organs to the city chemist and bacteriologist.

Two Negroes are under arrest in connection with the robbery, and a third suspect is being sought by police.

Those reported by police to be under arrest are Lester Aleix, 20, and Andrew Allen, 23, who gave no home addresses.

Laguaite, who is said by police to have been on his way home from an Exchange Alley saloon, was found unconscious on the sidewalk by his son, Andrew Laguaite, Jr., who had started out in search of his father when he failed to arrive home at his customary time.

The son took his father home and then called police, who took Laguaite to Charity hospital. At that time doctors said Laguaite was suffering from lacerations of the head and scratches on the face. Regaining consciousness, Laguaite told police he was on his way home when he was beaten and robbed.

Laguaite remained at the hospital until last week, when he was removed to his home. His condition grew worse Wednesday and he died at 5:15 a. m. Thursday.

## TWO MOTORISTS GET JAIL TERMS AS TIPSY DRIVERS

Two Negro motorists who were charged by police with driving automobiles while under the influence of liquor and causing damage were given jail terms Tuesday by judges of the criminal district court.

William Robert Black, 22-year-old Negro, 1330 Iberville street,

was sentenced by Judge William J. O'Hara to serve 60 days in Parish Prison for driving while intoxicated and causing \$25 damage to a Cemeteries streetcar at South Claiborne avenue and Canal street on November 2.

Police said Black was driving on Claiborne avenue and crossed on a red traffic signal light, striking the streetcar which was proceeding on Canal street in the direction of the river.

Judge Fred W. Oser in another section of the court sentenced Bernard P. Duplessis, Negro, 30, 425 North Dorgenois street, to serve 30 days in jail for driving while drunk and causing damage to the automobile of Stella Gaines, 2009 Philip street, at Erato and Dryades streets on October 16.



# New Orleans, Once Wide Open City, Struck By No-Gambling Blitzkrieg; Nobody Knows Why

NEW ORLEANS, La., Aug. 22—New Orleans, which has for years been a wide open city as far as gambling has been concerned, has donned a new suit and gambling for some reason seems to be on the wane. The click of the dice, which could be heard from tables in practically every block from Tulane avenue on South Rampart to Louisiana avenue, has ceased altogether and the dice tables, heretofore surrounded five and six deep with anxious-eyed men and women, have all been carted away and put in cold storage. Dice now are being played with cards by the few who still must have this mental exercise for their financial opulence.

## RACE HORSE GAME STILL GOES

Even though the dice games have been deserted and the voice of the game keeper has been quieted, the race horse game still goes on as usual. Charts still remain up in many places and hidden away is the battery of girls at telephones connected with those who take bets in various places on the ponies.

## LOTTERY STILL FLOURISHES

The namesake of New Orleans, the lottery, still flourishes. The vendors still ply their wares unmolested. Probably in no other city in the world does this form of gambling exist so openly. It has become the livelihood of thousands. It has become the hope of many more thousands. And, despite the heavy odds against the winner, and some permitted to continue, it has its daily customers who never fail to play their numbers. Nobody seems to know why some of the gambling has been stopped. Some say it is the result of a war of the top bosses over the "take," which they say amounts to high stakes. Some say it is the result of reformers such as are working in the Vieux Carre, the French section of the city. Others say it is just plain politics, whatever that may mean.

New Orleans does not seem to be bothered by its gambling war. No matter what the cause may be New Orleans is just going on as usual. When it does come back, if it ever does, the dice games will have its usual quota of cash customers as long as cash lasts; the men and the women — for women gamble in the open in New Orleans as well as the men — all

## BOY LOSES LIFE WHEN MOTORBIKE AND BUS COLLIDE

Delivery Youth Killed at Louisiana Avenue

Crossing

DEC 7 1940

Willie Jones, 16-year-old Negro drug store delivery boy, 2026 Sixth street, was killed Friday morning when a motorbike he was riding collided with a Laurel street bus at Louisiana avenue and Danneel street.

59

The boy's death increased to 59 the number of automobile accident fatalities in New Orleans since January 1. Dr. C. Grenes Cole, coroner, said Jones' death resulted from hemorrhage and shock following a compound fracture of the skull.

Sergeant Charles Hartman of the Seventh Precinct station reported that the boy was driving his motorbike up Danneel street and, at Louisiana avenue, failed to stop for a stop sign and crashed into the front of the bus, which was proceeding on Louisiana avenue in charge of Herman J. Young, 23, 1213 North Dupre street. Jones was thrown under the bus and the wheels passed over his head.

A Charity hospital ambulance was summoned and upon its arrival doctors pronounced the boy dead.

Police said witnesses exonerated the bus driver.



# Louisiana Scottsboro Case Again Headed For Supreme Court

**AUG 31 1940**  
EDGARD, La.—(CNA)—The case of crippled Hugh Pierre, 24-year-old Negro farmer, generally known as the "Louisiana Scottsboro Case" appeared headed towards the Supreme Court again this week as Maurice Woulfe, defense attorney, announced that he would contest the second death sentence to be imposed upon his client in four years.

The case dating back to 1936, won national prominence in February, 1936, when the U. S. Supreme Court reversed the death verdict in a decision in the Scottsboro Case and declaring the death sentence illegal because Negroes had been systematically excluded from the juries involved.

**AUG 31 1940**  
The second death sentence was handed down last week by a jury composed of one lone Negro and 11 white men. The jury was out for two hours.

## Pleaded Self-Defense

Pierre was condemned for the alleged murder of Ignace Rousselle, a white deputy constable who sought to arrest him in 1936, on a charge of "stealing a plow." Pierre had found the broken plow on a levee in 1933, fixed it and used it for four years before a white man "identified" the plow as his own and Rousselle went to arrest Pierre. The defense contended that in the row which followed, Pierre was forced to act in self-defense.

Balked in its original move to hang Pierre, the state of Louisiana made three attempts to get him since the Supreme Court reversal in 1939. It summoned a grand jury with three Negroes on it whose bill against Pierre was quashed when it was disclosed that one of the jurors could neither read nor write.

**AUG 31 1940**  
Reindicted in January 1940, the action of this second grand jury was quashed when it was revealed that a jury commissioner, according to his own testimony, had put no Negro names in the panel list because he did not believe in call-

ing Negroes as grand jurors. The indictment returned by a third grand jury, on July 8, 1940, stuck despite the fact that the defense moved to quash it on the ground that the percentage of Negroes in the grand jury did not come anywhere near the percentage of Negroes in the parish, which happens to be 49.3 per cent of the total population.

Three Negroes were originally called for the trial jury out of a panel of 300 names. Two were dropped by the prosecution. Only Thomas Polk, office porter, was allowed to remain.

# La. Flogging Epidemic Is Investigated

**SEP 28 1940**  
BATON ROUGE, La.—Following the brutal beating of Mrs. Bea Jackson of Church Point, La., by Chief of Police Luke Wimberly, and report of the incident to the state department who ordered an immediate investigation, a Negro-beating epidemic broke out in Church Point.

Recent reports are that practically every day some innocent and unprotected Negro has been brutally beaten by officers of the law. In one instance, a Negro named "Roy" was attacked by police because the man had lost his key. This assault was also reportedly, at the hands of Chief Wimberly.

Several other Negroes have been handcuffed to fences and brutally beaten by police. These have included men, women and children.

# Theft of Violin Used in 30-Year Career Reported

**OCT 7 1940**  
Theft of a violin which he had used from the beginning of his 30-year career was reported to Fifth Precinct police Sunday by Armand Piron, 52-year-old Negro orchestra leader, 2441 London avenue. Piron told police the violin, valued by him at \$500, was stolen as he served customers in his beer parlor at the London avenue address.

He said a party of eight people entered his bar at 7 a. m. Sunday and requested him to play for them. After he had played several numbers, other customers entered the establishment. Rejoining the party after serving the customers, Piron was unable to find the violin which he had left on a table. Also missing was an unidentified Negro who joined the party while Piron was playing.

# Janitor Stabbed, Dies; Police Seize 4 for Questioning

**OCT 21 1940**  
Stabbed in the abdomen when he went to the second floor of a tenement house at 1657 Cypress street, where he was employed as a janitor, to investigate a disturbance shortly after 1 a. m. Sunday, Alex Robertson, 38-year-old Negro, died in charity hospital at 9:30 a. m.

Four Negroes, who Fifth Precinct police said were creating the disturbance, were arrested from a truck at Perdido street and South Claiborne avenue after they fled the scene of the stabbing. They were detained for questioning.

Robertson's death was classified by Dr. Philip Montepre, assistant Orleans parish coroner, as a homicide. The Negro resided at 1657 Cypress street.

# DRIVER OF TRUCK FOUND GUILTY IN DEATH OF YOUTH

**NOV 13 1940**  
Charles K. Lawless, 23-year-old Negro, 2127 South Robertson street, was convicted Tuesday of involuntary homicide for the death of 10-year-old Whalen Monteleone in an accident last March 11.

Lawless, truck driver of 428 North Rampart street, was charged with running into the bicycle on which the Monteleone boy and Vincent Palumbo, 11, 3729 General Taylor street, were riding at Poydras and North Broad streets. The side of the truck struck the bicycle, knocking both boys to the ground, and the rear wheel of the truck passed over the Monteleone boy's head, witnesses said.

Felicien Y. Lozes, assistant district attorney, prosecuted the case, and David Newhauser was attorney for the defendant. The trial was heard by Judge J. Arthur Charbonnet of criminal district court. Receiving the case at 6 p. m., the jury returned a verdict of guilty at 7:30 p. m.

Several witnesses, including Detective Thomas McConnell, who was off duty at the time of the accident, and Rudolph Weinman, attorney, said traffic was heavy at the intersection and that Lawless was driving about 15 miles per hour.

Henry Werner, brake inspector of the police department, said brakes on the truck were good, but that the horn and emergency brakes were not working.



# Whites Kidnap Shreveport Minister; Believe Ousted Members Responsible

NOV 30 1940  
SHREVEPORT, La., (ANP)—

Two armed white men entered the home of Rev. J. R. Martin, 46, pastor of Zion Baptist Church, Monday evening, stated they were police officers, ordered him into an auto from which the license plates had been removed, drove about 12 miles out from the city, hit him with a sandbag, forced him to sign a prepared resignation as pastor of Zion, shoved him out of the car and when he broke loose and ran, shot at him twice. He later said he believed that ousted members of his church had hired the whites to kidnap him.

In telling his story, Rev. Martin said:

After we had driven what I judge to be about 12 miles, (you see, we traveled on three different roads) they stopped the car and asked me: "If we let your feet hit the ground how long would it take you to get your damn little nigger brats, get out of the state and stay out?"

"Then one man hit me. It was a heavy blow and though it didn't scar, it stunned me and I felt as if my jaw bone had been dislocated. I told them as soon as I could, speak if that was what they wanted I would get out right away. I was shoved out of the car. The big fellow got out with me, then asked if I would sign a resignation to my church. I told him I would and he prodded me back into the car. I signed it. Again I was shoved out. Two shots were fired but they had a dull sound as if they were shot into the ground.

He was born just out of the city limits and has lived all of his life in Shreveport. He has been in the ministry 26 years and bought the little home from which he was taken 21 years ago. He says it will take more than this to run him away from where he has worked, lived and suffered."

## WOMAN SENTENCED FOR KNIFE SLAYING

DEC 4 1940

Mary Smith, 19-year-old Negro, 2021 Villere street, was sentenced Tuesday by Judge George P. Platt in criminal district court to serve three to five years in the penitentiary for the slaying of James Thomas, alias Jesse James, Negro, 45, 1550 Iberville street, on June 1.

Police said Thomas and the Smith woman were drinking when he left her and went off with another woman. The Smith woman followed him to Villere

street near Canal street and stabbed him with a knife.

An indictment for murder was returned and at the trial last Tuesday Assistant District Attorney Guy Johnson asked the jury to return a capital verdict. The woman was convicted of manslaughter.

## OFFICERS LEAVE TO RETURN NEGRO IN MURDER CASE

DEC 1 1940

Detectives Andrew Arnold and William Grosch left for Detroit, Mich., Tuesday to return Wilbert Moore, 37-year-old Negro, who has been indicted for murder in connection with the slaying nearly 11 years ago of Patrolman Lester H. Johnson.

Returning from Detroit the two detectives will stop at the federal reformatory at El Reno, Okla., to interview Leonard Libby, 18, 1217 North Villere street, in connection with the holdup-slaying of Ursin Ansardi, president of the Lake Borgne basin levee board, at Esplanade avenue and Royal street on the night of September 13.

Libby, who is serving a two-year sentence for the theft of a taxicab and robbery of its driver, was named in a purported confession last week by Jesse McCracken, 18, 535 Carondelet street.

Williams is said by police to have shot and killed Patrolman Johnson on the night of January 18, 1930, when the officer sought to arrest him for an alleged traffic violation at Esplanade avenue and North Rampart street.

Williams was arrested several days ago but refused to waive extradition. Requisition papers were signed Monday by Governor Sam Jones.



**Abolishes Hanging!**

*Union 7-18-40*  
Baton Rouge, La. (C)—Hanging has been abolished in this State. The House last week voted 80 to 4 for a measure approved by the Senate providing for a portable electric chair. Death has gone modern here.

**CHARGE WOMAN WITH SLASHING WHITE MAN**

*Amsterdam News 8-3-40*  
BATON ROUGE, La., Aug.—(ANP)—Backed by the citizenry of Louisiana's capitol city, the N.A.A.C.P. local branch, has begun a spirited effort to defend Mrs. Hazel Washington who is charged with wounding with intent to kill C. E. Cotton, white.

Investigation disclosed that on June 10, Mrs. Washington was on her way home from the grocery store, when Cotton rolled up by her on a bicycle and insulted her. Upon being insulted, she cursed Cotton, whereupon he jumped from his bicycle and struck her. After having been struck, Mrs. Washington proceeded to defend herself with a pen-knife. He was seriously cut about the body. She was arrested.

Mrs. Washington's husband, upon advice of the Rev. A. H. Landry, local pastor, sought the aid of the local branch of the N.A.A.C.P. The organization succeeded in getting Mrs. Washington's bond reduced from \$3,000 to \$350.

Mrs. Washington was arraigned in court on July 12, at which time, she pleaded not guilty. Her case was set for July 19, but the local branch, through its attorney, L. H. Hughes, has succeeded in getting the case put off until the middle of October.

**LA. OFFICIALS PROBE DEATH OF RACE MAID**

*Defender 7-20-40*  
**Believe Woman Died Of Bruises Inflicted By Severe Kicks**

*Chicago, Ill. 8-19-40*  
NEW ORLEANS, La.—Pending the making of a grand jury, for St. Bernard parish on July 22, parish authorities, led by Sheriff C. F. Rowley, are investigating the report that Mrs. Althea Rhodes, former Race maid in the Jacobs' home, came to her death, some months ago, not from natural causes, but due to injuries received from a kick.

Jacobs will be indicted on charges of murder for the fatal shooting of his estranged wife, last week.

Mrs. Rhodes had been employed in the Jacobs' home several years, and following a party at the house several months ago, she was entered into Charity hospital suffering with a stomach rupture. She died shortly afterwards, with cause of death given as from rupture of stomach.

According to Sheriff Rowley, evidence has been secured that Mrs.

Rhodes was kicked in the stomach by Jacobs during the night of the party at his house.

Mrs. Rhodes' husband refused to give out any information or statement. Sheriff Rowley promises complete details of his investigation within a few days.

**Louisiana NAACP Takes Steps In Hazel Washington Case**

*8-2-40*  
BATON ROUGE, La., Aug. 2 (ANP)—Backed by the citizenry of Louisiana's capitol city, the NAACP local branch, has begun a spirited effort to defend Mrs. Hazel Washington who is charged here with wounding with intent to kill C. E. Cotton, white.

Investigations disclosed that on June 10, Mrs. Washington was on her way home from the grocery store, when Cotton rolled up by her on a bicycle and insulted her. Upon being insulted, she cursed Cotton, whereupon he jumped from his bicycle and struck her. After having been struck, Mrs. Washington proceeded to defend herself with a pen knife. He was seriously cut about the body. She was arrested.

Mrs. Washington's husband, upon advice of the Rev. A. H. Landry, local pastor, sought the aid of the local branch of the NAACP. The organization, after relentless efforts, succeeded in getting Mrs. Washington's bond reduced from \$3,000 to \$350.

Mrs. Washington was arraigned in court on July 12 at which time, she pleaded not guilty. Her case was set for July 19, but the local branch, through its attorney, L. H. Hughes, has succeeded in getting the case put off until the middle of October.

In the meantime, the NAACP has set up a "Hazel Washington Defense Fund" which already has raised more than \$100.

**NAACP Joins Defense Of Louisiana Woman**

*8-19-40*  
BATON ROUGE, La.—(ANP)—Backed by the citizenry of Louisiana's capitol city, the N. A. A. C. P. branch, has begun a spirited effort to defend Mrs. Hazel Washington who is charged with wounding with intent to kill C. E. Cotton.

**Hint Negroes Involved In La. Hospital Scandal**

*Defender 8-24-40 Chicago, Ill.*  
NEW ORLEANS.—An investigation into the operation of New Orleans' \$13,000,000 Charity hospital, ordered by the Jones administration,

showed evidences that Race members may be involved in the underground operations of the institution.

J. T. Willie, manager of the Willie Funeral home was questioned relative to a deal with a white con-

cern to bury Race patients who die at the hospital. The deal was reportedly for a sum amounting to \$2100. Willie denied the charges.

According to the administrations investigators another prominent undertaking establishment is likewise involved but name is being withheld until further concrete evidence is collected.

No definite statements as to whether the treatment accorded Race patients at the hospital would be included in the investigation. Many complaints have been made recently accusing that Race patients suffer inferior service at the hospital and that many have died for want of proper treatment and attention.

The N. A. A. C. P. has set up a "Hazel Washington Defense Fund" which has already raised more than \$100.

Washington proceeded to defend herself with a pen knife.

Mrs. Washington's husband, upon advice of the Rev. A. H. Landry, local pastor, sought the aid of the local branch of the N. A. A. C. P. The organization succeeded in getting Mrs. Washington's bond reduced from \$3,000 to \$350.

Mrs. Washington, arraigned in court July 12 pleaded not guilty. Her case was set for July 19. The local branch, through its attorney, L. H. Hughes, has succeeded in get-

**POLICE BOOK THREE FOR CLOTHES THEFT**

Three Negroes were booked Monday at the Seventh Precinct police station with grand larceny of clothes valued at \$900 which allegedly were taken last Tuesday from a ready-to-wear shop operated by Mrs. Rose Pallet at 4711 Freret street.

Additionally booked with breaking and entering in the nighttime were Robert Riney, 19 years old, 2500 Terepsichre street; William Russell, 21, 3800 Freret street, and James Bolton, 17, 1609 South Liberty street.

Cleo Thomas, Negro, 25, 1124 South Bonaparte street, and Frank McAgoni, 24, 1622 La Salle street, were booked with having stolen property in their possession.

ting the case continued until the middle of October.

The N. A. A. C. P. has set up a "Hazel Washington Defense Fund" which has already raised more than \$100.

Washington proceeded to defend herself with a pen knife.

Mrs. Washington's husband, upon advice of the Rev. A. H. Landry, local pastor, sought the aid of the local branch of the N. A. A. C. P. The organization succeeded in getting Mrs. Washington's bond reduced from \$3,000 to \$350.

Mrs. Washington, arraigned in court July 12 pleaded not guilty. Her case was set for July 19. The local branch, through its attorney, L. H. Hughes, has succeeded in get-



## Stowaways Given U. S. Jail Terms in Illegal Entry

Two Cuban Negroes who pleaded guilty Monday in federal court to charges of entering this country illegally were sentenced by United States Judge Adrian C. Calhoun to serve jail terms and then to be held for deportation.

They are Jose Gonzales and Ramiro Acosta, who allegedly came to New Orleans on August 16 after stowing away on the Seatrain New Orleans. Each is to serve six months in the federal jail here and then to be delivered to immigration officials.

Grigsby Antoine, who admitted stealing seven federal checks amounting to more than \$117 and forging names of the payees, was sentenced to serve three years. Clarence Reed, who pleaded guilty to forging the payee's name to a \$25.35 federal check, was sentenced to serve one year.

Edward F. Rush entered a similar plea to charges of stealing an automobile from New Orleans to Dallas, Tex., and was sentenced to serve 24 months, and Louis Taylor, charged with raising two money orders, admitted the charges and was given an 18-month prison term.

## Suspect Is Held in Filling Station Holdup Attempt

Earl Robertson, 24-year-old Negro, 2526 Delachaise street, was booked at the Seventh Precinct station early Sunday on a charge of assault, beating and wounding with intent to kill and rob following an alleged holdup attempt on a filling station at 4140 South Claiborne avenue late Saturday.

Captain Edward Smith of the Seventh Precinct said that Robertson struck Avin Gereighty, 35, 219 South Dorgenois street, filling station attendant, on the head with a stick but then lost his nerve and fled from the station. Gereighty did not require medical treatment. Robertson was captured several hours later from a description given by the attendant.

## FLEEING SUSPECT IS SHOT TWICE BY ORLEANS POLICE

Treated for Slight Wounds  
and Held Pending  
Robbery Inquiry

NOV 21 1940

Shot twice and wounded slightly late Tuesday night when, according to police, he attempted to escape from police after he and an unidentified companion were discovered asleep in a parked automobile in the Cason garage, 921 Perdido street, Jesse Bordes, 22-year-old Negro, was held Wednesday by police pending an investigation of recent robberies.

Bordes and another Negro were found in the car by Henry C. Vesey, 814 St. Philip street, night watchman, who called police. When Patrolman Cornelius Nelson and Chauffeur John Seely arrived with the First Precinct patrol wagon the two Negroes jumped from the automobile and started running.

Police said Bordes ran on Perdido street to Penn street, thence on Poydras street to Franklin street and then into an empty lot where he attempted to climb over a fence. Patrolman Nelson fired two shots, one striking Bordes in the light leg and the other in the right hand.

After being treated at Charity hospital for superficial wounds Bordes was booked for loitering and held for an investigation. The second Negro escaped. Police said Bordes had been arrested 26 times during the past 10 years.

## BROTHERS JAILED IN STABBING CASE

NOV 25 1940

(Special to The Times-Picayune) Covington, La., Nov. 24.—James Williams, 32 years old, and Jesse Williams, 23, Negro brothers, who were shot during an altercation on the Bogalusa-Pearl River navigation project November 16 when A. N. Dawsey, 38-year-old right foreman, was charged with "striking with intent to kill." The Negroes were brought from Charity hospital in New Orleans by Deputy Sheriffs James Galouye and Charles Duvoisin, Jr.

Dawsey, who was charged with shooting and wounding and released under \$1000 bond, told officials that the Negroes worked for him on the project now operating near Bush close to the Washington-St. Tammany parish line, and that when he found Jesse Williams "loafing on the job" he told him "to go to work or get out."

The Negro left, according to Dawsey, but returned with his brother James and an argument started between the foreman and the Negroes. Curtis Wactor, who also works on the project, was struck on the head with a stick by one of the Negroes as he stepped between, while the other Negro stabbed Dawsey, he declared. Dawsey said he then took his shot gun from his car and fired twice.

James Williams was shot in the hip and Jesse Williams in the chest.

Whites Kidnap  
Minister in La.

NOV 30 1940

SHREVEPORT, La.—(ANP)—Two armed white men posing as police officers kidnapped the Rev. J. R. Martin, Monday evening, drove him twelve miles into the country, beat him and forced him to sign a resignation from the pastorate of Zion Baptist church.

The abduction is believed to have been inspired by some of the thirteen former members of the church who were recently ousted following their unsuccessful attempt to effect the sale of some lots the church had purchased.

The Rev. Mr. Martin, who is 46 and a life-long resident of this section, has been in the ministry for twenty-six years. He purchased his home here twenty-one years ago. The younger two of his four children were at the home when the white men came for him, in an automobile from which the license plates had been removed.

Shot at Twice  
The minister said his abductors, who stunned him with a blow on his head, apparently with a sandbag, mentioned the ousting of the church members as they presented the typewritten resignation and ordered him, in abusive language, to leave town. He said they fired two shots at him and sped away after shoving him from the car.

Returning to Shreveport, he reported the incident to police and was promised their protection and an investigation. The present membership of his church, a majority of which had voted against the controversial lot-sale proposal, is 242.

## Cleric Kidnaped, Forced To Resign From Church

NOV 30 1940

SHREVEPORT, La.—(ANP)—Two armed white men entered the home of Rev. J. R. Martin, 46, pastor of Zion Baptist church, Monday, stated they were police officers, ordered him into an automobile from which the license plates had been removed, drove about 12 miles out from the city, hit him with a sandbag, forced him to sign a prepared resignation as pastor of Zion, put him out of the car and when he broke loose and ran, shot at him twice.

Reverend Martin said his two younger children, Margaret, seven, and Angella, 11, and his brother-in-law, Edwin Tyler, were at home when the men claiming to be police "arrested" him.

Rev. Martin's wife died in 1938. He has four children, a daughter in Grambling college and a boy, 17 who was visiting an aunt. He was born just out of the city limits and has lived all of his life in Shreveport. He has been in the ministry 26 years and bought the little home from which he was taken, 21 years ago.

He says he hasn't had any trouble with whites but there has been trouble in his church that began with some of the members wanting to sell some lots the church had bought, and when it was put to a vote the majority voted not to sell and those who lost their vote blamed him for it. This has led to many other disagreeable things, so much so that five members were turned out, then a big uprising took place which caused eight more to be turned out. The present membership of the church is 242.

From the talk done by one of the abductors and the prepared resignation, the conclusion is that these men were hired by the ousted church members or some equally interested parties.

The police have offered Reverend Martin protection and are working on the case. He says it will take more than this to run him away from where he has "worked, lived and suffered."

## Legless Man Is Given Five Years in Theft of Auto

NOV 28 1940

(The Associated Press) Shreveport, Nov. 27.—Willie Covens, legless Dallas Negro, was sentenced in the federal court here today to serve five years in Leavenworth prison for automobile theft. Covens entered a plea of guilty to a charge of violation of his probation on a conviction for transporting a stolen car across state lines five years ago.

Just before he was sentenced Covens cleared up the mystery of how he drove a car. He said he could get mechanics to place hand attachments to the driving gears.

Before sentencing Covens, Judge Dawkins read the FBI report on Covens' criminal record. It included several arrests for car stealing and terms in federal and state penitentiaries. These included the Texas penitentiary, a Missouri prison and Leavenworth.

In 1928 Covens was arrested at Dallas for car theft, the report revealed, but was released because of his physical disabilities.

## Car Washer Gets Life Sentence in Watchman Death

NOV 30 1940

A life sentence was imposed Friday by Judge Fred W. Oser in criminal district court on Thomas Pete, 31-year-old Negro car washer at the Gravier Street Garage, 1119 Gravier street, for the slaying of Maurice Barabine, Negro, 45, watchman at the garage, on the night of July 4.

Pete was indicted by the grand jury for murder and pleaded guilty to murder without capital punishment.

During an argument Pete is said to have struck Barabine several blows on the head with a hammer. After the killing Pete, according to police, robbed the garage of several dollars and stole an automobile. He drove the car in a ditch on the Air-Line Highway and the car was destroyed by fire. Pete was arrested later at Opelika, Ala.



# Plea Made for 2 Smith Slayers Ex-Hampton Grid Player Arrested

BALTIMORE

Initial efforts to have the death sentences of Otis Harrell and William T. Sorrell changed to life imprisonment were made Thursday, when Linwood Koger and D. Lindsay Baynham, attorneys for the Wallace Smith slayers, held a noon-day conference with Governor Herbert O'Connor in Annapolis.

While it could not be learned upon just what considerations the attorneys are basing their plea, reports are that the governor was given the papers on the defective vision and mental examination of Sorrell, which was taken by Dr. Mansfred S. Guttacher, white, court physician, at the request of defense counsel following the trial of the slayers.

## Expect Decision Shortly

A. J. Bourbon, white, secretary to the governor, told the AFRO late Thursday, that Governor O'Connor would probably hand down his decision in a couple of days, after further study of the medical examiner's report.

While Mrs. Ethelyne Sorrell of Philadelphia, wife of Sorrell, was expected to be at the hearing, it was learned that ill-health kept her away.

Aside from Attorneys Koger and Baynham, Thomas N. Biddison, white assistant State's attorney who prosecuted the case, along with Assistant State's Attorney Stewart L. Smith, white, was the only other person at the hearing with the Governor.

## Smith Shot, December 16

Wallace Smith, brother of the late Thomas R. Smith, political leader, was fatally shot during a holdup at the Seventeenth Ward Democratic Club, 1010 Druid Hill Avenue, on December 16.

Following the trial which began on January 25, Harrell and Sorrell were convicted on February 24 of first-degree murder and sentenced to hang by Judges Wilkerson, McLanahan, and Smith, for a police radio car, the arrest of Jones and his subsequent trial before Magistrate Wilbur H. Coyle in Northwestern police court, Saturday morning.

Officer Butler testified that while dancing, he had been told of the disturbance and that some one had a knife. Arriving at the scene, Butler said he found Jones in the center of a group of friends who apparently were trying to get him to go home. The officer said he did not see the knife, however.

# Grid Player Arrested

J. Alvin Jones, Jr.  
Fined \$52.90 for  
Disorder at Dance

BALTIMORE—Facing the question of friendship duty, Officer J. Hiram Butler followed the late early Saturday and arrested J. Alvin (Bus) Jones, Jr., 29, supervisor in the municipal department of recreation, who was subsequently fined \$52.90 on charges of disorderly conduct and assaulting an officer.

## Guest Nabs Host

The incident took place at a dance given at the Odd Fellows' Hall, Friday night, by the Chanticleers' Social Club, one of the leading clubs here. Featured in the disturbance was Jones, former Hampton football star and member of the club; Officer Butler, a guest; a 20-gallon bowl of punch, and its dispenser, whose name was undisclosed.

The dance was progressing smoothly and everyone appeared to be having a grand time, until shortly after 3 a.m., when a disturbance occurred at the table on which rested the enormous bowl of punch.

## Calls for Radio Car

This eventually led to a call

for a police radio car, the arrest of Jones and his subsequent trial before Magistrate Wilbur H. Coyle in Northwestern police court, Saturday morning.

Officer Butler testified that while dancing, he had been told of the disturbance and that some one had a knife. Arriving at the scene, Butler said he found Jones in the center of a group of friends who apparently were trying to get him to go home. The officer said he did not see the knife, however.

## Rescues White Buddy

Officer Butler stated that he tried to quell the disturbance, but that Jones pushed him back into the crowd, ripping his coat. Officer Butler said he left the immediate vicinity under the belief that Jones's friends would have been able to handle him. A short while later, Butler was told that there was a white policeman in front of the hall and that he was being resisted.

Returning to the scene, Officer Butler found Officer George Ostendorf, white, struggling with Jones. Together, the two officers managed to place him under arrest and took him to the station house.

The white officer said that he heard the call while in his radio car and sped to the scene. He testified that it was necessary to use the "iron claw" on Jones's wrist to control him.

## Offers to Fight Cop in Hospital

Officer Leo Williams testified that he had been ordered to take Jones from his cell to the Provident Hospital at 6 a.m. At that time, he said, Jones still acted very disorderly and that he created quite a disturbance in the hospital. The officer stated that Jones offered to fight him or any other officer.

The policeman admitted, however, that as long as he had known Jones, he had never caused him any trouble before.

Represented by Robert P. McGuinn and Jerome Robinson, white, Jones, who gave his address as 1359 N. Calhoun Street, said that he had been an employee of the Playground Athletic League and had been connected with the department of recreation, which recently was taken over by the city, for three years.

He said that he did not like the way the waiter was serving the "rather potent" punch and

## Denies Assaulting Butler

Butler had nothing to do with the affair, Jones said, as he had been invited as a guest and not as an officer. Therefore, he had no right intervening, Jones said. He denied assaulting Officer Butler, but said that while one of his friends put the iron claw on him, another struck him twice on the back of the head.

He said that he talked as he did about officers because they had said that he should be beaten. Jones said that the fingers on his right hand were numb as a result of the iron claw.

Commenting before levying a fine of \$25 and costs on each of the two charges, Magistrate Coyle said:

## Lectured by Judge

"You no doubt are a decent sort of man, but you must have been crazy, and I can't let you get away with resisting arrest and assaulting our police officers. I have had enough dealings with Officer Butler to know that he is a high calibre officer and that he was trying to help you.

"After all, once an officer, always an officer, and Butler was doing his duty to see that order was maintained, even though he was a guest at the dance. If you hadn't been as decent as you are I would have imposed a heavy jail sentence on you."

## McGuinn Asks Leniency

Mr. McGuinn argued that in view of the defendant's outstanding character record and good job, in addition to being jailed for several hours, he felt that Jones had suffered enough punishment and should be freed with as light a penalty as possible.

When taken to the hospital, Jones was treated for lacerations of the right wrist. Physicians said he refused treatment for the lacerations of his scalp and did not return for an X-ray of his wrist which may have been fractured.



# Plan Probe of Mysterious Jail Cell "Suicide"

DETROIT — An inquest into the mysterious death of Thomas Dawson, 22-year-old Detroit, who was found dead in a jail cell at Monroe Mich., three weeks ago will be held this week, according to members of Dawson's family.

At the same time Dr. James J. McClendon, president of the Detroit branch of the NAACP, announced that the association had entered the case and would co-operate with Attorney Harold E. Bledsoe, counsel for Dawson's family.

## Hanged Self, Police Say

Dawson, who was arrested in Monroe on a charge of traffic violation, died under mysterious circumstances. Monroe police said that he had committed suicide by hanging himself in the cell.

Bledsoe said he had interviewed three whites who had been in the courtroom when Dawson appeared before the justice of the peace. According to these witnesses, Dawson was slugged with a blackjack by a policeman. It was shortly after this that his body was found in a cell.

## Had No Nicktie

A friend, who was riding with Dawson at the time of his arrest, said Thomas could not have hanged himself with a necktie, as charged by police, because he was wearing a sport shirt at the time.

Dr. McClendon also announced that Mrs. Daisy Lampkin, field secretary of the NAACP, will speak at the mass meeting of the Detroit chapter, Sunday, at St. Antoine YMCA, launching the annual membership campaign. Mrs. Hannah Butler is general chairman, with the goal set at 7,500 members.

# EXPOSES CITY OFFICIAL AS NUMBERS BOSS

## Says Police Had 'Racket Squad'

By ROBERT A. CRUMP

DETROIT, May 16—(ANP)—"Useless Boykins" and "Do-nothing Dick", as they were commonly referred to when speaking of the former mayor Richard W. Reading and his runner, Ulysses Boykins, came to a severe parting of the ways here Monday in the court room of Judge Homer Ferguson, sitting as one man grand jury investigating the wealthy racket business in this city.

Boykins simply let down his hair, went to town and made front page headlines when he told the court that he had been the middle man in the racket protection between the mayor and the racketeers, carrying the pay off money to his boss, the mayor. Boykins went far enough to say that Reading, then mayor, had a "racket squad" created in the police department to protect the rackets, rather than to arrest them. This was done, he said, so that other officers in other departments could not molest operators.

## Job Made for Him

Boykins was appointed to some job by the mayor as soon as he was elected but no one had known just what his job was. He was not listed on the city's payroll. He had elaborate offices, assistants, office girls and every type of business equipment there, and for a long time it was a question as to what the office was maintained for. It began to leak out, however, when the youngster was seen all too frequently in the company of Watson and other big names in the racket.

Frequent trips to New York by plane, wining and dining with them.

Both Owen and Boykins now did not seem to make sense. Boykins, just a kid, was considered to the testimony Boykins had been

small fry as he received, according to his testimony, only \$50 a week for looking after the money safe keeping until time for him to appear before the grand jury. for the mayor which amounted to \$2,000 a month.

Young Boykins was promised immunity by the grand jury if he testified for the state. Others have done likewise but the question here is how will they fare with the revenue department as to income tax evasion?

## Refuses to Talk

Thus far Everett Watson, known as the big man in the racket payoff and operator of the biggest numbers game in the city, reputedly the wealthiest Negro in these parts, has refused to talk, but the testimony of Boykins gave the lowdown on Watson saying that the money he received for the mayor was given him by Watson who is supposed to have collected equal shares of the payoff money from the others in the same business. He mentioned John Roxborough as one of the men who contributed for protection.

Previous to Boykins' testimony, a former police lieutenant, now under indictment by the grand jury, had testified that he had been the payoff man to the mayor after Boykins was eliminated and that he gave to Reading more than \$18,000 in protection money over a period of time. Boykins' testimony substantiated the police man's statement.

## Comes From Good Family

The youth, who is well known in society here, coming from a good family and a likeable chap, is said to have gotten in wrong through his associations with a former defunct number baron.

Frank Owen is the name frequently used in the court room. Owen was at one time Watson's chief aide. When he was ousted by the Watson outfit he tried the game alone making little success. He is said to be the finger man in the round up of racketeers because he knows every one in the game, their take, number of employees, location of houses and the like. It is being said that through the efforts of Owen the big law has been able to single out

each man wanted, and know how,

where and what time to locate the

man. Both Owen and Boykins now sport a police bodyguard. Prior to the testimony Boykins had been

Brumel Penick is also said to have bitten the hand that once fed him. He told the grand jury a few days ago that Watson was the payoff man. Penick also at one time worked for Watson and Watson is said to have furnished the money with which Penick opened his own house.

## Grand Jury Probe Pending

It appears that the grand jury is out to get Watson and the mayor, the Wayne county prosecutor, Duncan C. McCrea, and the sheriff, Thomas E. Wilson. All men who testify against these men are promised immunity by the grand jury.

Others yet to testify and who have been indicted, all of whom are scheduled to turn state's evidence, are: Walter Norwood, proprietor of the Norwood hotel and the famous Club Plantation, one of the swankiest nite spots in the city, and Fred Fuller, investigator for the prosecutor's office under another administration.

Charley Mosley, operator of one of the big houses, will also tell his story to the grand jury. Mosley took over the business of brother Bill Mosley who was slain a few years ago because he refused to pay off a \$50 hit to one of his writers who had the wrong date on the ticket. The testimony of these men is also feared by the numbers men.

According to the grand jury estimate, the combination of the baseball pool, clearinghouse and policy business, hand books and other rackets have netted \$10,000,000 in profits in the past three years to those on the inside. This profit and the payoffs

The man who bought the second car he just bought will do all the salesman said it would



# WATSON SURRENDERS TO DETROIT POLICE DESPITE THREATS

Alleged "Numbers Baron" Flanked By Three Lawyers  
As He Gives Self Up.

DETROIT, March 21.—In the face of reputed threats that he would be killed if he came back to Michigan, and just 48 hours before an extradition hearing was to have been held in Springfield, Ill., Everett I. Watson, alleged numbers baron and manager of Roscoe Teles, gave himself up Saturday afternoon to Judge Homer Ferguson's one-man gambling-graft grand jury.

Watson, flanked by three attorneys, and piloted by Guy W. Jensen, of the grand jury legal staff, who had been making arrangements for his extradition, was arraigned at once before Judge Ferguson. He stood mute on arraignment and a plea of not guilty was entered for him. Examination was set for March 26, and Watson was released under \$2,500 bond.

## WARRANT NAMES SIX PERSONS

It was revealed that the warrant names six persons in addition to Watson, and also lists four John Does. The warrant has four counts—operating a gambling game, operating a lottery, and conspiracy to operate in both cases.

Officers were sent out immediately to arrest the other six men named in the warrant.

## POLICE CHIEF OF DETROIT SLURS NEGRO

As Results, Citizens Start  
Whispering Campaign  
Against Mayor

DEC 13 1940

DETROIT — (ANP) —

Ever since Police Commissioner Frank Eamans made the bold assertion that he "didn't understand why Ne-

groes object to being called 'nigger' when they are called that in books and on the stage," a whispering campaign, emanating from several sources, is going the rounds against Mayor Edward J. Jeffries.

It is recalled that the head of the local police department made this statement in the presence of colored leaders at a conference with the mayor while protesting against police brutality on the part of some members of the police force.

The reason for the whispering campaign against the mayor, as stated by a member of the protesting committee, "is because the commissioner is appointed by the mayor and the only way to get rid of a bad police commissioner, who upholds brutality and has the effrontery to flaunt his racial antipathy in the face of Negro leaders, calling them boys, is to get rid of the mayor."

For a long time, undue brutality on the part of the police towards Negroes has been a bone of contention here, and it seems that no mayor has as yet given much consideration to the appointing of a head for that department who would attempt to curb it.

It is being repeatedly stated that colored voters helped to elect the mayor and it is believed that they can also help to defeat him.



# Butler U. Alumnus Gets Life Sentence For Murder

DETROIT, Jan. 19—Maury Vanderpool, 31-year-old former Butler university student of chemistry, pleaded guilty last week to the murder of Mrs. Hazel Fluence and was sentenced to life in prison Thursday by Recorder's Judge George Murphy.

The body of the 23-year-old comely matron who lived with her husband, Charles, was found wedged in a sewer last December 11. Vanderpool, who had been in Detroit since 1931, admitted putting the body in the sewer October 28, the day Mrs. Fluence left home to go to a grocery store.

Vanderpool told police that he had stripped two rings from the woman's fingers and taken a watch from her wrist, pawning both to gamble.

The prisoner said that he had met Mrs. Fluence, with whom he had been going for some time on October 28, and an argument developed when he gave her \$10 instead of \$15, he had promised. He said he struck her head against the frame of the car, knocking her unconscious.

Mrs. Fluence, according to autopsy reports, was alive when she was put in the sewer. She died from exposure and suffocation.

## Ev Watson Surrenders

### Alleged Policy King Had Fought Extradition

DETROIT—Everett I. Watson, reputed policy king who had been sought for weeks and for whom an extradition hearing was to have been held in Springfield, Ill., Monday, surrendered Saturday to the one-man grand jury which has been investigating gambling since last August. Watson appeared at the County Building shortly

following day, refused to return to Detroit voluntarily and extradition proceedings were started against him.

Slated to appear before a representative of the Governor of Illinois Monday afternoon in Springfield, Watson telephoned Loomis late Friday afternoon and the latter got in touch with Guy W. Jensen, special assistant prosecutor, and the conversation between the three lasted four hours.

Watson, who is alleged to be the head of the Yellow Dog Clearing House, one of the largest policy and numbers houses in the city, arrived in Detroit at three p.m. Saturday.

The extradition and habeas corpus proceedings, pending in the Illinois court, were to be disposed of Monday by one of Watson's lawyers.

O'Hara, in commenting on Watson's surrender, said he was needed to complete the grand jury's case linking public officials with the underworld in the inquiry.

## ATTORNEYS FOR WATSON FIGHT 60 - DAY TERM

### Argue That Trial Judge Erred In Promise Of Immunity

LANSDING, Mich., April 12—Attys. Lloyd A. Loomis and Fred M. Walker, counsel for Everett I. Watson, reputed Detroit policy king, appeared before the state supreme court Thursday to argue against the 60-day contempt of court sentence imposed on Watson by Judge Homer Ferguson, sitting as a one-man grand jury investigating graft in Wayne county.

The attorneys argued that Judge Ferguson erred when he sentenced Watson as he had been arraigned on a grand jury warrant charging

conspiracy to operate a lottery; actual operation of a lottery; conspiracy to operate a gambling enterprise, and actual operation of a gambling enterprise.

The attorneys also argued that the court did not have the right to grant immunity to Watson in an effort to have him answer a question which the defendant thought would incriminate him.

Chester P. O'Hara, special grand jury prosecutor, told the high court that there was nothing in the question which would have impaired the constitutional rights of Watson despite the fact Watson is awaiting trial on the grand jury warrant.

Both sides were given until Tuesday to file supplemental information with the high court.

## WITNESS SAYS HE WAS PAID BY OPERATORS

### 46 Held In Detroit For Investigation Of The Racket

By RUSS J. COWANS

DETROIT—How the office of a former mayor, Richard W. Reading, was linked with numbers operators, was definitely established here Monday, May 6, when one of Reading's former campaign workers testified that he had turned over \$3,300 to Reading. The money, the witness said, had been given him by Everett I. Watson, alleged kingpin of the numbers game here.

Ulysses W. Boykin, former newspaperman who joined the Reading forces while the former mayor was still city clerk, was the witness who linked his former boss with the graft charges.

Boykin testified that he had turned over to Reading \$800 on September 1, 1938, and a month later he gave him \$1,500. On November

1 the former mayor received \$1,000 from Boykin, the witness testified.

This money, according to Boykin, had been turned over to him by Watson. He also testified that through Reading a special racket squad, under Lieut. John P. McCarthy, one of the 89 policemen who are defendants, had been established.

Among the 46 civilian defendants are John W. Roxborough, co-manager of Joe Louis; Watson, manager of Roscoe Toles; Thomas (Rooster) Hammond, Irving Roane, Duncan C. McCrea, prosecutor; Harry Colburn, chief investigator for the prosecutor, and Fred Frahm, former superintendent of police.

Boykin was preceded on the stand by Claude Semus who identified himself as a former manager of the Yellow Dog numbers house, said to be operated by Watson. He said he is now a partner with Brumal Penick, another named as co-conspirator and granted immunity by the one-man grand jury.

Semus said that he had seen Boykin in Watson's office a number of times during 1938, and that they had been in conference. The witness also identified those who he charged were employed by Watson in the operation of his various numbers and policy houses in Detroit.

The witness said that he had worked up from a pickup man to the managership of the Yellow Dog. Fatly attired, Semus sported a large diamond ring on his finger.

Penick was one of the witnesses at the opening of the examination Saturday. He told of the trip he made with Watson to the office of Colburn in 1935, supposedly to arrange for the protection of the numbers operators.

He said that he was later told to pay \$150 a month for protection, the money, he said, being collected by Watson. This was later raised to \$600 a month.

Penick and Semus will face examination on a charge of conspiring to operate a lottery this week in recorder's court. Both are out on \$1,000 bond as the result of raids made two weeks ago by police after investigation of more than two months.

The grand jury has seen this as a counter move by the office of McCrea in an effort to discredit the testimony of Semus and Penick.

Watson was also named as the pay-off man by Raymond W. Boettcher, white, former police inspector.

Boettcher testified Saturday that he collected the graft because the work of Watson had given him \$4,000 month-of Boykin had proved very unsatisfactory.

Boettcher testified that Reading was given \$2,000, Frahm, \$1,800, Ryan, \$1,000, and he kept \$200. He said that he had been selected to a wire service.



# WOULD RATHER DIE THAN RETURN TO ARK.

*Courier*  
So Minnesota's Governor Stassen Refuses to Honor Extradition of 67-Year-Old Man.

*8-18-40 Pittsburgh, Pa*  
LITTLE ROCK, Ark., Aug. 8—State authorities here were advised Tuesday from St. Paul, of the refusal of Minnesota Governor Harold Stassen, to grant the request of the State of Arkansas for extradition to this State to complete a sentence interrupted by his escape more than 19 years ago, of Paul DeWalt, 67-year-old race man. At the time he escaped he was serving a prison term imposed on his conviction of the theft of some automobile tires.

Governor Stassen's decision to deny the requisition was made, it was stated, after he had been told by DeWalt that he had rather die than be sent back to Arkansas, and had seen him display scars on his back he said resulted from floggings inflicted upon him in an Arkansas prison camp years ago, which he described in detail. DeWalt's identity as a former Arkansas convict was disclosed when he was arrested on a charge of disorderly conduct and on conviction was sentenced to a 90-day workhouse term which he recently completed.

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Memphis (Tenn.)  
Commercial Appeal

## Negro Given Lease On Life By Delay In Building Device

Mississippi's first electric chair is ready for delivery.

Built in Memphis while a doomed prisoner in the Magnolia State remained in jail as his execution date passed, the chair is mounted on a specially built truck which will transport it over Mississippi highways to scenes of executions. The TriStates Armature & Electrical Works, Inc., built the plant.

### Execution Was Delayed

Delay by the manufacturer in the delivery of a transformer at one time gave Booker T. Childress, 42, Newton, Miss., negro, additional time to live. The delay was caused by war orders.

Originally sentenced to hang on June 12 at Decatur for the murder of his common law wife, Childress, five days before the execution date, chose to die in the electric chair. Under a Mississippi law persons sentenced before the bill went into effect, but with the execution date set after the effective date of the law, could choose to die by either the noose or the chair.

Childress declined to ask Governor Johnson for clemency and the original execution date passed without any action.

Recently the circuit judge at Decatur reset the date for Sept. 25.

However, attorneys for the negro said last night they were appealing to the State Supreme Court on the grounds the state cannot now legally execute Childress as the original execution date was allowed to pass without a reprieve although the negro was in jail and had signified his preference for death in the electric chair.

Atty. Gen. Greek Rice of Mississippi said in an informal opinion the state might be forced to commute the sentence to life imprisonment.

### Four Others to Die

Two negroes are scheduled to die at Prentiss, Jeff Davis County, on Oct. 11, and two others are due to die at Vicksburg, Oct. 18.

Complete with a 2300-volt electric plant and switchboard, the entire device was built by the Tri-State plant at a cost of approximately \$4000. The chair it made entirely of white oak obtained in Memphis. Harness used was also made in Memphis. The generator was the only part obtained from an out-of-town firm.

It took two weeks of actual labor to construct the chair.

## Mississippi Negro May Get Reprieve

MEMPHIS, Tenn. — (ANP) — World War II, which has already claimed hundreds of thousands of lives, may be the cause of a Mississippi Negro, condemned to death, receiving a new lease on life.

Booker T. Childress, 42, of Newton, Miss., originally sentenced to hang on June 12 at Decatur for the murder of his common-law wife, five days before the scheduled execution chose to die in the electric chair. Under a new Mississippi law persons sentenced before the bill went into effect, but with the execution date set after the effective date of the statute, could choose to die either by the noose or the electric chair.

Since there was no chair, the state had to order one from the Tri-States Armature and Electrical Works, Inc., located here. It was not completed until last week because a transformer could not be delivered due to the priority of war orders.

Meanwhile, June 12 went by without any action. Childress had declined to ask Gov. Johnson for clemency. Recently the circuit judge at Decatur reset the date for Sept. 25. But defense attorneys said Friday they were appealing to the state supreme court on the grounds the state cannot now legally execute Childress as the original execution date was allowed to pass without a reprieve although the prisoner was in jail and had signified his preference for death in the electric chair.

Atty. Gen. Greek Rice of Mississippi, said in an informal opinion the state might be forced to commute the sentence to life im-

prisonment.

However, this will probably be the only case of this kind in Mississippi history. Delivery was to be made this week on the state's first electric chair which is complete with 2300 volt electric plant and switchboard and cost approximately \$4,000. There are four other Negroes waiting to die in it, two at Prentiss on Oct. 11, and two at Vicksburg on Oct. 18.

## DOUBLE EXECUTION SCHEDULED TODAY

(The Associated Press)  
Vicksburg, Miss., Oct. 17. — Final plans were made here today for Mississippi's first double execution, in which two Negroes are scheduled to die tomorrow for a murder they committed almost a year ago.

The two men, Willie Gordon and Charles Clemons, expressed their readiness to die today. Fried buffalo fish and chicken were ordered for their last meal and the two men were in their cells reading Bibles supplied by Jailor Tom Byrd.

The two men today calmly expressed their readiness to be put to death.

"We have been ready since June," Gordon said, referring to the day when they were converted.

The Negroes were first scheduled to die on July 11, but conflicts arising out of the new execution law won them two reprieves. Governor Paul B. Johnson first allowed the pair a 60-day stay of execution, which would have resulted in their deaths on September 9. The chair, however, was still not ready for use, so a reprieve of 39 additional days was given.

Sheriff Julius M. Buchanan said today that Dr. H. B. Wilson, court on the grounds the state cannot now legally execute Childress as the original execution date was allowed to pass without a reprieve although the prisoner was in jail and had signified his preference for death in the electric chair.

Atty. Gen. Greek Rice of Mississippi, said in an informal opinion the state might be forced to commute the sentence to life im-

## Racket Revealed As Victims Seek New Certificates

DEC 21 1940

JACKSON, Miss. — (ANP) — If teachers' certificates didn't have to be renewed every four years, J. Frank Smith, dean at the Utica Industrial and Normal School, might not be in the hands of the law today.

The holder of three degrees and second lieutenant in the U. S. Army reserves, Smith has been charged with forging Negro teaching certificates and selling them for thousands of dollars to teachers in Louisiana and Mississippi.

The Jackson police arrested Smith Wednesday when he came to town to have some dental work done, and turned him over to Louisiana state police who came for him.

State Police Superintendent Steve Alford of Louisiana said that Smith had been selling degrees to teachers in two states for four years, and that officials recently found out about the scheme when unsuspecting teachers began sending their certificates in to Baton Rouge and to Negro colleges for the required four year renewal.

Alford related that while employed from 1934 to 1939, as professor in charge of extension work at Southern University near Baton Rouge, Smith collected fees for teaching but kept the money, then issued credit for the work to his pupils and others, and finally, for between \$5 to \$10 extra, would issue teaching certificates with forged signatures—complete with a replica of official seals. The seals gave the degrees an authentic appearance and most such testimonials got by.

The hitch developed a month ago, the end of the four-year period when all teachers were required to have their certificates renewed. Forged certificates began flowing into the offices of Negro schools, Southern University, Leland College, Xavier University, and Tuskegee Institute.

## Woman Is Released In 'Goat Castle' Case

DEC 19 1940

JACKSON, MISS., Dec. 18. — (AP) — The release from Mississippi State penitentiary of the only person ever convicted in the famous "Goat Castle" murder case in Natchez, was ordered today by Gov. Paul B. Johnson.

The Governor signed an indefinite suspension of sentence for Emily Burns, negro woman who in 1932 began serving a life sentence after her conviction in Natchez on a charge of murder filed after the fatal shooting of Miss Jane Surget Merrill, aged spinster, daughter of a former ambassador to Belgium.

Johnson said he was "thoroughly convinced" of the woman's innocence.

She had told him her story yesterday, during "mercy court" hearings conducted by the chief executive at the State Prison Farm in Parchman. During the hearing she asserted she

had been convicted only on circumstantial evidence.

The negro woman was arrested in August, 1932, ten days after the body of Miss Merrill was found in the yard of her ante-bellum home "Glenburney," on the outskirts of Natchez Castle" in which Richard Dana and his housekeeper, Miss Octavia Dockery, resided.

and adjacent to the dilapidated "Goat



## MAN CHOOSES LIFE WHEN GIVEN CHOICE

McComb, Miss. Journal  
July 9, 1940

## BURGLUNDTOWN NEEDS CLEANING UP TO AVOID FURTHER CRIMES

JACKSON, Miss., June 3—(AP)—For the first time in memory the state of Mississippi today gave a prisoner condemned to die for murder his choice between life and death—at least temporarily—and he chose to live.

The choice of Booker T. Childress, Newton County Negro, sentenced to die June 12, lay between death by the old method of the noose and execution in the electric chair.

Hanging was abolished at the recent session of the Legislature and death by the "portable" electric chair, could be moved to any county, was adopted to provide for execution in the county where the crime was committed.

Childress chose the electric chair and state officials, after a poll of the manufacturers, found no such equipment existed.

Then Atty. Gen. Greek Rice ruled that under the law Childers could not legally be executed by any other means unless he gave his consent.

Secretary of State Walker Wood, delegated by the Legislature to provide the portable chair equipment said he would continue his search but expressed the belief that he would have to place a special order which would delay the execution.

## WOMAN'S ASSAILANT OBJECT OF SEARCH

(Special to The Times-Picayune)  
Meridian, Miss., Aug. 12.—Police and detectives were seeking an unidentified Negro man who struck down and robbed an elderly white woman this morning at the Rubush music store in the heart of the business section.

The victim was Mrs. Alma Sheffield, manager of the music house, who suffered a serious laceration of the left temple, rendering her temporarily unconscious.

Mrs. Sheffield told authorities a large Negro entered the store and ordered two phonograph records. As she filled the order, the Negro struck her with a rock or a piece of steel beneath a glove, grabbed the purse which contained \$7.50, a \$5 money order, a valuable brooch and some papers and fled.

## HELD TO GRAND JURY IN FATAL SHOOTING

(Special to The Times-Picayune)  
Gulfport, Miss., Aug. 29.—H. A. McCorkle, member of the Gulfport police force, was today committed to the grand jury under \$1000

Last Thursday night this area was told of a terrible attack on the rights and privileges of free men.

Alton Gatlin, peaceable citizen of the Thompson church neighborhood, was beaten to within the very borders of death by a group of negroes.

Gatlin still lay in a McComb hospital, suffering a frontal skull fracture where one of the negroes mauled him with the barrel of a pistol.

We are told Gatlin was attacked mistakenly. He was not guilty of the charges made by the negroes. We are also told Gatlin has been living a peaceful life as a farmer in northeast Amite county, harming no one and liked by his neighbors.

But, rather than take the matter to officers of the law and have them feel out a party allegedly guilty of whipping a negro boy, they took the matter into their own hands and committed the dastardly act of attacking a white farmer.

All of the negroes arrested that same night by peace officers were from Burglundtown, in McComb.

We do not condone mob violence. But, court action is slow and many times breeds leniency. To avoid this, mob violence often moves in.

We can avoid such attacks as suffered by Mr. Gatlin by cleaning up such areas as Burglundtown.

Burglundtown needs cleaning up, and if it is not done and done soon, more and more trouble is sure to follow.

bond on a charge of manslaughter in connection with the fatal shooting of Willie D. Young, 17-year-old Negro, on August 10. The preliminary trial, which was before Judge George Murphy, taxed the capacity of the circuit court.

The shooting occurred a short distance from the McCorkle home after the officer was said to have reprimanded a group of Negro boys and girls for allegedly disturbing the peace on their way home from a motion picture theater. The officer was off duty and not dressed in his police uniform, according to the testimony.

Negroes testified that the shooting was unprovoked, but McCorkle maintained on the witness stand that he shot the Negro youth only after the latter had struck him and was endeavoring to wrest his pistol from his hand.

## TWO NEGROES EXECUTED

(AP)—Two negroes were executed here Friday for the slaying of an aged negro man who was shot to death as he answered a neighbor's call for help.

The executions were the second and third to be performed by Mississippi's new portable electric chair.

Willie Gordon, alias J. R. Berkhalter, 31, was first to be put to death. He was pronounced dead at 7:31 a.m. One minute after the first shock was applied by State Executioner Jimmy Thompson. Seventeen minutes later, Charlie Clemmons, 40, was strapped into the chair. He was pronounced dead one minute after the first shock. The chair was first used in the execution of another negro at Lumberton a week ago.

## NEGRO SLAYER ELUDES POSSE IN MISSISSIPPI

NOV—2 1940  
Bloodhounds Come Close To  
Fugitive But Lose Trail

Special to The Commercial Appeal  
FOREST, Miss., Nov. 1.—Luther Benton, 45-year-old escaped negro convict sentenced for murdering a white man two years ago, was still at large Friday night after eluding Sheriff O. D. Loper, his deputies and a posse of 25 men who have searched for him since 10 o'clock Thursday night.

Kennie Wagner, noted five-time killer, who escaped when sent Sunday to search for Benton, also is still at large. Wagner, who had been keeper of the penitentiary bloodhounds, disarmed an assistant sergeant and escaped in the officer's car. A report Wednesday night that he was surrounded in woods near Onedia, Ark., proved false.

According to Sheriff Loper, Benton rode in on a freight train late Thursday, went to the home of his wife, Malvina Benton, and after threatening to kill her took her into the woods west of Forest, keeping her there until midnight, when he released her unharmed.

She reported to officers he headed west, but on checking the story they found he went east, and they took up the trail with bloodhounds, trailing him most of the night.

Early Friday morning, a negro residing in Goodhope community, eight miles east of Forest, said the negro ate breakfast at his house. The trail led from there to the Salem community, northeast of Forest, where Benton was seen by several persons.

The dogs lost the trail again, but on checking the negro's tracks later, Deputy D. A. Johnson said the posse was within 200 yards of him at one time. He is believed unarmed.

Malvina Benton is being held in Scott County jail since officers checked her story and found she was trying to help her husband escape.



## Delayed Delivery of Electric Chair Again Saves Four

(The Associated Press)  
Jackson, Miss., Aug. 29.—Four Negroes scheduled to be executed in September today were given additional reprieves by Governor Paul B. Johnson because of further delay in delivery of the state's portable electric chair.

The chair was scheduled to arrive here this week but officials today said part of the electrical equipment had been delayed and would not be shipped until August 30 to Memphis, where the chair is being assembled.

Two of the Negroes, Hilton Fortenberry and Jerome Franklin, will die in Jefferson county on Friday, October 11, Johnson ruled.

They were sentenced last January after being convicted of the slaying of a county peace officer, and were originally scheduled to die on July 19. Later a September date was set.

William Gordon and Charlie Clemons, Warren county Negroes, were given October 18 for their execution day, originally set for July 11 but postponed later to September.

## Two Mississippi Slayers Die— One On Gallows Under Guard, Other In A New-Fangled Chair

OCT 12 1940  
By The Associated Press  
LUCEDALE, Miss., Oct. 11.—Mississippi sent two negro slayers to death Friday, one hurriedly from a predawn gallows surrounded by armed National Guardsmen, and the other in the Nation's first portable electric chair given its premiere here.

The different methods of execution used, believed the first case of its kind in American history, resulted from a law fixing electrocution as the means of death passed by the last Legislature. Condemned men sentenced before the law became effective could choose the old-fashioned method, as one did Friday.

### Governor Is Scored

He was Hilton Fortenberry, slayer of Town Marshal J. C. Sanford at Prentiss last New Year's Day, who was hanged in the Jefferson Davis County courtyard under the protection of 35 Guardsmen who brought him from the county jail at Jackson under orders from Governor Johnson.

Governor Johnson said he acted after reported threats of violence but Dist. Atty. Sebe Dale angrily denied this to a small crowd gathered at the gallows, which was sprung at 2:24 a.m. without waiting for dawn.

"The guard is not here to quell any mob, but was sent here by the man who let the guilty party off," Mr. Dale said. Governor Johnson earlier had commuted to life the death sentence of Jerome Franklin, convicted with Fortenberry. "I am carrying out the sentence of the court. I regret I couldn't also hang the man whose guilt was greater than yours," Dale told the condemned man.

### "No Kick Coming"

"I got no kick coming," Fortenberry said as the trap was sprung.

In remote George County, State Executioner Jimmy Thompson of D'Lo, Miss., a rank amateur in his new job which pays \$100 per electrocution, pulled the switch of the portable chair at 6:15 a.m. on Willie Mae Bragg, 28, who in anger turned a shotgun on his estranged wife as she knelt over a washtub in a white family's laundry house.

Thompson struggled for hours through the night detaching the chair and switchboard from the big heavy truck, which houses it and the gasoline engine which generates the lethal current, and placing it in a jail cell here.

His work was slowed by gaping townspeople, including many chil-

dren, who sat in the chair before the execution, as Thompson repeatedly explained its workings. The portable chair, costing \$4000, had to be built to order because no Mississippi county was willing to accept the chair.

### Sheriff Indignant

Sheriff E. B. Ward was indignant that his county was chosen for the chair's first lethal errand. He pointed out that both the chair and prisoner were in Jackson, where the electrocution could have been carried out more effectively.

Many doubted the chair would work but it performed without a hitch, the engine motor racing to an airplane whine as 2300 volts coursed through the negro's body.

"I say to others pray and do right," were his final words after asking the executioner not to cause him "much misery." Bragg was calm and shook hands with Fortenberry's eyes were whored with weeping. Bragg was the first person ever executed in George County.

Thompson had tried to get the county to pay the expenses of an experienced Arkansas executioner to help him on his first assignment, but the sheriff refused. Two more persons will be executed in the chair at Vicksburg next Friday.

Jackson Miss. News  
December 11, 1940

## Utica Negro Dean Held For Forging Permits

qualifications.

J. Frank Smith, dean at the Utica Industrial and Normal school, holder of three college "degrees" and second lieutenant in the U. S. Army Reserves, had been turned over today by Jackson police to Louisiana authorities, who charged Smith with forging negro teaching certificates which he sold for thousands of dollars to negroes in Louisiana and Mississippi.

Smith, who was arrested on Jackson streets at the request of Louisiana authorities, said he had come to town from Utica to have some dental work done. Turned over to Louisiana state police who came for him, Smith was charged with operating a confidence game at Amite, La., in Tangipahoa parish.

State Police Superintendent Steve Alford, of Louisiana, revealed at Baton Rouge that Smith had been selling "degrees" to negroes in the two states for four years, and that officials recently found out about the scheme when unsuspecting negro teachers began sending their certificates in to Baton Rouge and to negro colleges, for a renewal which is required every four years.

Alford related that, while employed from 1934 to 1939 as professor in charge of extension work at Southern University for negroes near Baton Rouge, Smith collected fees for teaching but kept the money, then issued credit for the work to his pupils and others, and finally, for between \$5 to \$50 extra, would issue teaching certificates with forged signatures—complete with a replica of official seals.

The seals gave the degrees an authentic appearance and most such testimonials got by.

The hitch developed a month ago, the end of the four-year period when all teachers were required to have their certificates renewed. Forged certificates began flowing into the office of negro schools—Southern University, Leland College, Xavier University and Tuskegee Institute.

Soon complaints brought about a description akin to Smith's and he was arrested. Lately he had been teaching at Pike county agricultural school, Magnolia, Miss., and as dean at the Utica, Miss., Institute and Normal College.

Alford said he assumed the middle-aged Smith's "degrees" from Howard College, of Washington, D. C., the University of Indiana and University of Chicago, were genuine, as the army probably checked thorough on his educational



CRIME - 1940

# SAYS MISS. A MADHOUSE OF CRIME, VICE

Negroes, Whites Exploited

By SAMUEL HOSKINS for ANP

JACKSON, Miss., Jan. 11—A brief survey of the state of Mississippi has brought to light many alarming facts. It reveals that the Negroes and poor whites are being exploited by a reactionary movement of economic depression that is sweeping the entire state and leaving in its wake a wave of crime, vice, poverty and immorality. Many of the towns of the state prior to the passing of the Wage and Hour bill, enjoyed a limited amount of industry—sawmills, tie-plants, canneries, stave mills, etc. Due to both the depression and the unwillingness of many industrial masters to comply with the salary standard set by the Wage and Hour law, many factories have been closed. The state to a great degree, must depend entirely upon its agricultural economy—cotton. Therein lies the reason for the increase in lawlessness and vice.

## Illegal Liquor Traffic

Since Mississippi still has prohibition, bootleggers have organized the illegal traffic of liquor down to a fine point. Third-rate roughboard restaurants have sprung up everywhere. Their main income is derived from music-boxes, slot machines, and liquor. These are controlled by whites who are often representatives of law and order. It is a known fact that Negro "front-men" pay a weekly graft from 2 to 5 dollars and \$10 the first of every month to those in authority.

The mass of the Negroes and poor whites pay the bill. The nickels and dimes they squander in attempts to snatch a bit of blind forgetfulness from their miserable existences, go to fill the coffers of controlling figures

who are trying to bridge a gap between insufficient incomes and requisites of subsistence. It is a vicious system wherein the Negroes and poor whites are left strangling at the bottom of economic depression.

Notorious "gold coasts" are plaguing the state. The one located east of Jackson attracted national notice when Gov. White attempted to curb it. Raids by the state militia have failed to eliminate the evil. Attorney General Rice directed a raid on Mound Bayou a few weeks ago, but if Mississippi is to be freed from the present contamination, the whole state, from Tennessee

Louisiana must be "house-cleaned."

## Await Court Action

Very soon circuit court is scheduled to begin in Talahatchie county. Already it has been labelled "bootleggers' session". Recently, the majority of the Talahatchie bootleggers were arrested, but not for long. Immediately they were bonded out by the money-making clique now in power. The cases are due to come up in the next session of court, therefore the title of "bootleggers' session". What will the outcome be?

Too, the case of Annie Ruth is on docket. Albert Ross and Annie Ruth, colored man and woman, were found burned to death last summer. The fire took place on the west side of the town of Charleston, just off Main Street. The coroner's report was that the couple had been murdered and the fire set to cover the crime. James Dogan, Negro, was arrested. A mob threatened. However, the story related by Dogan involved two white men, the son of one of the leading politicians of Talahatchie county and a business man of Charleston. The white man-Negro woman angle appeared to have been the motive for the crime. The Negro was released. The case tabled. It is to come up again.—Will it?

## Predict "Changes"

It has been predicted that there are "changes ahead for the South." The economic and social conditions of Mississippi are moving fast in that direction.

In addition to the above conditions, the salaries of the Mississippi teachers (white and Negro) are lower than those received by public teachers any-

MISSISSIPPI

# MISSISSIPPI IS CALLED A "MADHOUSE OF CRIME"

By SAMUEL HOSKINS

JACKSON, Miss.—(ANP)—A brief survey of the state of Mississippi has brought to light many alarming facts. It reveals that the Negroes and poor whites are being exploited by a reactionary movement of economic depression that is sweeping the entire state, and leaving in its wake a wave of crime, vice, poverty and immorality.

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Since Mississippi still has prohibition, bootleggers have organized the illegal traffic of liquor down to a fine point. Third-rate roughboard restaurants have sprung up everywhere. Their main income is derived from music-boxes, slot machines, and liquor. These are controlled by whites who are often representatives of law and order. It is a known fact that Negro "front-men" pay a weekly graft from 2 to 5 dollars and \$10 the first of every month to those in authority. The mass of the Negroes and poor whites pay the bill. The nickels and dimes they squander in attempts to snatch a bit of blind forgetfulness from their miserable existences, go to fill the coffers of controlling figures who are trying to bridge the gap between insufficient incomes and requisites of subsistence. It is a vicious system wherein the Negroes and poor whites are left strangling at the bottom of economic depression.

## "BOOTLEGGERS' SESSION"

Very soon circuit court is scheduled to begin in Talahatchie county. Already it has been labelled "bootleggers' session". Recently, the majority of the Talahatchie bootleggers were arrested, but not for long. Immediately they were bonded out by the money-making clique now in power. The cases are due to come up in the next session of court, therefore, the title of "bootleggers' session". What will the outcome be?

Too, the case of Annie Ruth is on docket. Albert Ross and Annie Ruth, colored man and woman, were found burned to death last summer. The fire took place on the west side of the town of

Charleston, just off Main street. The coroner's report was that the couple had been murdered and the fire set to cover the crime. James Dogan, Negro, was arrested. A mob threatened. However, the story related by Dogan involved two white men, the son of one of the leading politicians of Talahatchie county and a business man of Charleston. The white man-Negro woman angle appeared to have been the motive for the crime. The Negro was released. The case tabled. It is to come up again.—Will it?

It has been predicted that there are "changes ahead for the South". The economic and social conditions of Mississippi are moving fast in that direction.

In addition to the above conditions, the salaries of the Mississippi teachers (white and Negro) are lower than those received by public teachers anywhere else in the country. The Negro teacher of the small-town and rural schools receive the lowest. Principals of small towns get a monthly salary of \$37.50; assistant teachers get \$30. In the rural section principals receive \$24 monthly and the assistant teachers, \$22. The school buildings are beneath the requirement of any standard.



# CLAIM 'HERO' WAS VILLAIN OF RAIL PLOT

Police Say That Suspect  
Sought Reward For  
Stopping Flyer

CLARKSDALE, Miss., Feb. 9—Richard Howard, 35, of Mound Bayou, who prevented a wreck of the crack express train, The Planter, as it sped through Cleveland, Miss. last week

informing the crew that the track was broken, has been charged with interference and an attempt to derail and wreck the train according to District Attorney Greek P. Rice.

Howard prevented the tragedy by building a fire in the middle of the roadbed and flagging the approach. V. Fey of Memphis stopped the train a few hundred yards from where 88 spikes had been removed from a section of track.

Bolivar county officials claimed that Howard disappeared from the scene while railroad men were investigating the cause of the near wreck.

Sheriff E. D. Raynor said at the time "I don't know whether to reward Howard or detain him. This looks like a Mound Bayou trick to me."

Howard was detained after he was found by Bolivar county officers who searched most of the day for him.

Peter Collier will be introduced as the chief witness for the state, Collier who lives on the F. E. Jones plantation near Merigold, Miss., told the district attorney that Howard had discussed such an incident with him a year ago.

According to information received by the district attorney, it is believed that Howard received a letter from his brother in Texas, telling him that if he proved he had prevented a train wreck he would be liberally rewarded by the passengers and the railroad.

Howard denied a charge that he removed the spikes from the track. His trial will be held in Cleveland, Mississippi in April.

Citizens around Mound Bayou expressed the belief at first that

certain disgruntled whites planned the wreck to throw the blame for the plot on them, as was indicated by Sheriff Raynor when Howard was arrested.

## NEGRO FACES CHARGE FOR STOPPING TRAIN

Accused Of Wreck Attempt  
Near Cleveland

Special to The Commercial Appeal  
CLARKSDALE, Miss., Jan. 31—

Richard Howard, 35, negro, who flagged a New Orleans to Chicago passenger train near Cleveland on the morning of Jan. 18, informing the crew that the track was broken, has been charged with interference and an attempt to derail and wreck the train, Dist. Atty. Greek P. Rice said today.

The charge is punishable by a maximum sentence of 10 years in the penitentiary.

Howard, according to the district attorney, flagged the train by building a fire on the tracks and waving a flashlight. When Engineer M. Fey of Memphis stopped the train, which was carrying more than 100 passengers, he found that spikes had been removed from 22 crossties and that the heavy rail section had been moved about two feet.

Chief witness for the state will be Peter Collier, negro, who lives on the F. E. Jones plantation near Merigold. Collier told the district attorney that Howard had discussed such an incident with him a year ago. According to information received by the district attorney, it is believed that Howard received a letter from his brother in Texas, telling him that if he proved he had prevented a train wreck he would be liberally rewarded by passengers and the railroad.

Howard denied a charge that he removed the spikes from the track. His trial will be held in April in Cleveland.

## SHERIFF HINTS 'HERO' MAY BE GUILTY PERSON

22 Crossties Removed As  
Section Of Track  
Is Shifted

CLEVELAND, Miss., Jan. 28—Mound Bayou, all-race town made the news again this week when an attempt was made to derail the Planter, a crack Illinois Central passenger train near here early Sunday morning.

Richard Howard of Mound Bayou, 35, was walking along the track about 3 a. m., Sunday, discovered at 22 crossties had been removed and a whole section of the track shifted to the middle of the road. Howard built a fire in the middle of the track and flagged the train to stop, preventing a serious wreck in which more than 100 passengers would have been killed.

However, Sheriff E. D. Raynor said he believed that Howard was involved in a plot to wreck the train. "I don't know whether to reward him or detain him in jail," the sheriff said.

An investigation is being made in an effort to determine who was behind the plan to derail the train. It has been pointed out that whites may have removed the crossties and planned the wreck near Mound Bayou in order to throw suspicion on the race community which became big news three months ago when Eugene P. Boggs was slain in an ambush.

## Slated To Die In 'Chair'; State Has None, So He Lives

JACKSON, Miss. — ANP) — Because the state of Mississippi so far has been unable to secure an electric chair for the execution, Booker T. Childress, Newton county resident, sentenced to hang Wednesday, June 20 for murder, is expected to have at least two months more to live.

If the execution date passes and he is not executed, the supreme court, which set the June date, must fix a new date, and the court adjourned Monday, June 17 for its annual summer recess. It will not sit again until September.

Childress, whose conviction of the murder of Myrtle McCade was upheld by the supreme court last month, notified the Newton county sheriff last week that he chose to be electrocuted.

Under an act of the recent session, electrocution was substituted for hanging in Mississippi and a condemned person given the right to choose this method of death.

The state has no electric chair, however and Secretary of State Wood declared he could not get the traveling electrocution outfit de-

scribed in the law for the \$2,500 appropriated by the legislature.

## Four Get New Leases On Life As War Delays Electric Chair

JACKSON, Miss., Aug. 29.—Four Mississippi negroes doomed to die for murder won additional leases on life Thursday due to failure of the state to get delivery on its new portable electric chair.

Hilton Fortenberry and Jerome Franklin, originally sentenced to hang in Jeff Davis County July 19 for the killing of a constable, were given reprieves by Governor Johnson until Oct. 11. Acting Governor W. B. Roberts July 17 had granted 48-day reprieves.

Charles Clemmons and William Gordon, originally sentenced to hang at Vicksburg Jan. 11 for a killing during a robbery, were reprieved until Oct. 18. Governor Johnson had granted another reprieve July 5.

Secretary of State Walker Wood Thursday received a telegram from the TriState Armature & Electrical Works of Memphis, builders of the electric chair, that the "latest shipping information on generator is Aug. 30. If correct, delivery date of complete outfit will be approximately Sept. 12."

L. H. Lanahan, vice president of TriState Armature & Electrical Works, said at Memphis that "heavy war orders to General Electric are probably causing the delay in shipment of the special generator."

Construction of a special generator by the General Electric has held up delivery of the chair for nearly two months.

The 1940 Legislature changed the method of execution from the noose to the electric chair.

## JACKSON LIQUOR RAIDS BRING SIX ARRESTS

Three Cars, 33 Cases Of  
Liquor Confiscated

From The Commercial Appeal  
Jackson, Tennessee, Bureau

JACKSON, Miss., Aug. 31.—Three liquor-laden cars were seized by a special squad of Hinds County officers early Saturday as they struck suddenly to paralyze the flow of illegal liquor into the Capital City.

The county officers were assisted by state highway patrolmen. A total of 33 cases of assorted liquors were confiscated.

Six persons were charged with possession of liquor. They were Cleintes Goodwin, Robert Hale, negro, caught on the Edwards Road; Red Hydrick of Florence and three negroes, Eddie Thompson, Charlie Hill and C. Wilson.



# Theatre Usher Shoots Boy In Leg As Woman Says He Pestered Her

DEC 14 1940

ST. LOUIS, Dec. 12—Nineteen-year-old Edgar McDowell, 222½ Franklin avenue, was shot in the left leg Thursday afternoon by Eddie Parker, 35-year-old Criterion theatre usher, after Miss Anna McMullen complained that McDowell and another youth were annoying her in the show.

Both Parker and McDowell were cited to appear in court on assault with intent to kill charges.

Parker and another usher, Chas. Miller, were called by the woman who said that she was being pestered by two men seated next to her. When Parker ordered the two youths to get a refund and leave the theatre, McDowell is said to have struck at Parker with an open knife, whereupon Parker drew his gun and fired two shots at McDowell, one of the bullets hitting him in his left hip.

The other youth, whose name was given as James McRay, alias "Flip," ran from the show. No one else in the show was hurt.

Parker explained to officers that he did not carry the gun with him on the job but that he went to the cashiers office to get the weapon when he started to try to get the two youths to leave the Franklin avenue theatre.



**To Err Is Human**

A Negro porter in a hotel takes away a bundle of linen and goes to jail for it. We are made ashamed twice; once by his dishonesty and again by his folly in giving up his job and his liberty for so little.

A white person, a woman, picked up by a motorist out of pure kindness, kills him for the sake of the few dollars he carried. We are sure our white neighbors also feel ashamed that such a person is found among them. We are both reminded that there is much evil in the world, unreasoning propensity to do wrong when to do right would pay better. And it is general, so that none of us has the right to throw the first stone.

**Posse Hunts Negro Who Wounded Patrolmen**

COOTER, Mo.—(AP)—Nearly 500 volunteers joined a dozen Missouri and Arkansas Highway patrolmen here today in a hunt for a Negro who late yesterday shot and wounded Patrolman Eddie B. Davis, of the Arkansas police.

Two airplanes constantly circled a wooded district and farms adjoining the highway. Bloodhounds were being brought by plane from Poplar Bluff to aid in the hunt.

Patrolman Davis was shot in the hand when the Negro grabbed the officer's gun while being questioned near the state line late yesterday afternoon. The Negro and his wife occupied an old automobile. The woman, taken into custody later, said they were en route to Detroit, Mich.

The search shifted here when Marshal J. A. Ashcroft, of Cooter, said he stopped a Negro described as Roosevelt Jones, 36, as he was passing the Ashcroft home.

"He answered the description of the Negro wanted," Ashcroft said. "I know Jones and have known him a long time. When I told him I wanted him to come with me, he drew a pistol like those used by the Arkansas police and told me if I tried to arrest him he would kill me. He then turned and ran."

## POLICE CAPTURE ANOTHER CZAR IN POLICY WAR

Police captured another white man February 11, and held him for questioning by Assistant Circuit Attorney Herman D. Olian as the war on policy continued in full swing. The man gave his name as Boyd Cordrey, 37, 9405 Trenton, Overland. He said he was a salesman. Cordrey has been sought since February 2, when the Golden Eagle book at 1436 Biddle was raided and persons employed there said they worked for a man named "Bud." Police first thought Cordrey was the owner of the book, but the white man named William Turner as his employer.

Acting on information supplied by Cordrey, the police raided the place at 1013 Selby place and found two bundles of policy slips with the name "Golden Eagle" printed on them. According to the police, the Golden Eagle book was printed at this address.

Isom Thomas, 53, who resides at the Selby place address, told the officers that during the last part of January he rented the room to a man for \$4 a week. On February 12, Thomas said, the man moved out. He did not know what use was made of the room.

About seven months ago, Cordrey told the officers, Turner approached him about running a policy game. At that time, Cordrey was working at a filling station at Hamilton Terrace and Hamilton avenues in the county. Through Fred Clemons, Cordrey met William Bronaugh and they rented a room in the rear of a lunch room at 1332 Biddle. Turner furnished the printing equipment but after the place was raided February 2, the equipment was turned back to Turner. Warrants were issued against Clemons, Bronaugh and Joseph Wilson who were arrested in the raid, charging them with establishing a lottery. Cordrey is held on the same charge.

Eleven men, five of them white, are under indictment by the grand jury, for running policy games here. Said to be ring-leaders of the racket are Andrew T. Steven-

son, former member of the police gambling squad, and Otto Deidesheimer. All of the other men indicted are said to be employed by Stevenson or Deidesheimer or Fred Keyman, who is also said to own a book and is under indictment.

## TELLS COURT OF RELATIONSHIPS WHICH LEAD TO BREAKOFF WITH TAXI DRIVER AND EXTORTIONS

ST. LOUIS.—Lucille Randall, 36-year-old public school teacher, faced Booker T. Norton, 24 years old, in court the morning of March 13, at his preliminary hearing on three robbery charges, filed on her police complaint that he blackmailed and extorted money out of her after she ceased her affections for him.

She testified that through threat of violence and social embarrassment she gave Norton money for over a year in payment for his silence and her peace of mind. She was defiant in her testimony and clashed with the attorney for the defense.

The hearing was held in the court of criminal correction before Judge Joseph L. Simpson. Norton was represented by Harry R. Bracey, local attorney, who said bond for \$7,500 would be arranged. Prior to the hearing Norton was held in default of \$30,000 bond in the three cases. Trial will be in circuit court.

**To Execute Bond**

Norton, a taxi driver, was arrested last week. Attorney Bracey said his bond would be signed by Charles Watson, a mail carrier, and Mr. and Mrs. George Norton. The bond was to be executed and Norton released by today.

A fair sized crowd was present when Miss Randall was placed on the stand to describe her relations with the taxi driver which extended more than two years.

She wore a purple dress, a black fur coat, dusty pink hat, purple gloves, a black purse and a pair of glasses. Emanuel Williams, her attorney, came to court with her and sat through the proceedings. Frank P. Motherway, assistant circuit attorney, represented the state.

**'Note for Machine Gun'**

Miss Randall told the court Norton came to her house January 2, 1939, stating he needed \$50 to pay a note on a machine gun. She said he told her he was a gangster and that he threatened her life if she refused the money. She said she denied the request and Norton snatched her bank book and left.

She said he returned January 3, 1939, and made her sign a withdrawal slip for \$50 on the Industrial bank. She insisted this was done because he threatened her life and promised to report her to the board of education.

## Crime Rate Among Negroes Decreases

—Last month Negroes in Kansas City created a negligible number on the police books. According to statistics issued from the homicide bureau of the Kansas City police department, 36 of the police calls to disturbances were originated by

she gave Norton was given to him under threats, she told the lawyer.

The teacher admitted going to Norton's house before she had him arrested. She denied she went to his house to ask him for letters of affection written to him.

The court room crowd leaned over to take a good look when Attorney Bracey introduced a photograph of Miss Randall into court. The picture was wrapped in a newspaper.

Much speculation had been aroused over the nature of the picture since Miss Randall claimed at the time of Norton's arrest that he had threatened to take a picture of her to school authorities.

**Charges of 'Racket'**

When Attorney Bracey laid the picture on the court's desk it proved to be an attractive impression of the young woman. The attorney asked Miss Randall if she gave Norton the picture for his birthday February 22. She denied this, but when the lawyer pulled the picture out, she admitted going with Norton to Young's Studio in the Peoples Finance building to get the picture which she claims he took.

The climax came when Miss Randall was excused and her sister, Lelia Randall was placed on the witness stand. Neither Lelia Randall nor other witnesses for Lucille Randall were allowed in the court room during their respective testimony.

Lelia Randall supported the testimony of Lucille Randall. She said on one occasion she had Norton arrested for threatening her sister at her sister's request.

Attorney Bracey asked Lelia Randall if it was true that she had tried on previous occasions to get two other men arrested on blackmail charges. She admitted calling police for one but had made no

attempt to have the other one arrested.  
"Then it must be a racket between you two to claim blackmail," the attorney thundered.

Norton's notes on a car were guaranteed by her last March 21, she testified. The woman emphatically denied buying clothes for Norton and have them charged on her account at a local clothing store.

She fired back at Attorney Bracey when the lawyer quizzed her about a signature on a purchase slip for a man's hat. All the mon-

**Signed His Car Notes**



# SUIT ALLEGES FALSE ARREST AND BEATING

## Railroad Accused of Jail Confinement and 'Third Degree'

ST. LOUIS. — (Special) — Claiming he was falsely arrested and accused of theft and then brutally beaten in an attempt to induce confession, Edward McDonald filed suit in circuit court last Saturday, seeking \$3,000 damages from the Missouri Pacific Railroad company, through its trustee, Guy A. Thompson.

According to the suit, McDonald was arrested in Chicago on January 22 of this year, on complaint of the company, which accused him of stealing some cigarettes from a freight car at DeSoto, Mo. He alleged he was placed in jail at Kirkwood and deprived of his liberty there until May 23 of this year. He asserted he was tried at Hillsboro, Mo., May 22 and acquitted on a charge of burglary and larceny.

McDonald declared in the suit that while being confined to jail at Kirkwood he was beaten by legal representatives of the company who tried to force him to confess to the theft. He said he suffered considerable pain and that his kidneys were affected by the attacks.

He seeks \$1,500 damages for false arrest and \$1,500 damages for the injuries allegedly received from the 'third degree' tactics.

McDonald is represented in the litigation by Sidney R. Redmond and Henry D. Espy, local attorneys.

# Young Labor Leader Is In More Difficulties

ST. LOUIS, July 18.—A hearing on bond this week will be held for Samuel Thomas, 29-year-old labor organizer and nephew of Levitt Kelly, prominent Chicago labor leader, who came to the city for a few days last week after young Thomas was arrested on six charges of obtaining money under false pretenses in connection with an attempt to

operate automobiles for the conveyance of domestic workers to their jobs.

Thomas was released on bond after spending nearly three days in jail. His bond was set at \$500 in each of the cases.

Thomas, it is charged, told six men that he had obtained a permit from the city to operate the machines, charging passengers ten cents each. For their share of the permit, which he said cost him \$40, he assessed each man \$5.

Carter Burns, secretary of the Public Service Commission, in a statement to The Post-Dispatch admitted that Thomas had been in his office several weeks before discussing the possibility of obtaining a permit for the operation of cars to carrying domestic workers to and from tax and was ejected from the street. It is a known fact that the present so-called service cars, running into the suburban sections of St. Louis, do not pick up Negroes as passengers.

Secretary Burns said that he told young Thomas that he would not need a permit to convey members of the Domestic Workers' Assn. of which he was the organizer, in automobiles of the association, but definitely warned him that he could not pick up other passengers on the street and charge them for transportation without a regular permit from the city. Burns said that no permit had been issued to Thomas and that any passengers he might carry without such a permit was in violation of the law.

It was also stated that a permit, if issued, would also mean that regulations concerning liability insurance, etc., must also be complied with, an undertaking which has proved to be quite expensive even with the regularly established race taxi concerns.

Then, early Friday morning, July 12, Thomas was back in jail again. This time he was released on bond after Hugh J. Kerans, 609 Pine street, had preferred charges of embezzlement by bailee in connection with a typewriter said to belong to the white man.

## Koonce Accused Of Assaulting U. S. Officer

Ernest B. Koonce, 41, operator of the Seashore Cafe with Nelson Creath and operator of a phonograph record shop at 2827 Easton, was arrested Wednesday on a warrant charging him with assault of a federal officer. The warrant charged the assault had occurred Tuesday when the federal officer, Guy C. Gwyn, of the internal revenue department, had approached Koonce concerning a delinquent Social Security tax and was ejected from the shop.

Koonce, released on \$10,000 bond, stated he had ejected Gwyn after he had insulted Mrs. Koonce.

When questioned further by an Argus reporter, Mr. Koonce stated he had no other statement to make for publication.

## MISSOURI PRISONERS PAROLED TO WALLACE BEERY OCT 12 1940

JEFFERSON CITY, Mo.—(AN P)—Larry B. Sudduth, serving a 45 year sentence for first degree murder in connection with a murder in Kansas City in 1931, was paroled from Missouri's state prison Thursday to Wallace Beery, movie actor, for whom he once worked as chauffeur. He will get his old job back. Beery visited him several times at the prison and told the parole board:

"I have so much faith that he will become a good citizen that I am willing to take the responsibility of his conduct. I shall put him to work for me."

Letters from Producer King Vidor and former Sen. T. P. Gore of Oklahoma were included in the file of parole accommodations. One letter said Sudduth had been chauffeur to Anne Temple Mc-

Pherson, Janet Gaynor and Eric von Stroheim, among others.

## FRIENDLY BROTHERS MOVEMENT

About two months ago the St. Louis Argus called the attention of the public to the rising tide of crime among the youths of our city. The reference, of course, being to the Negro youth because we felt then and feel now that something should be done to help minimize such crime among our youngsters.

The immediate response to our appeal came from the business men's group headed by Jesse J. Johnson, when a series of broadcasts were given over station KXOK on the subject of juvenile delinquency. Among the participants were: Zaid D. Lenoir for the schools; James E. Cook for the YMCA, and Mrs. Josephine Briscoe for the Colored Orphans' Home. This, to our mind, shows that the public is interested in a matter of this kind and that something concrete must be done.

We are pleased to announce that the local branch of the National Association for the Advancement of Colored People has as a result of our efforts, handled the fight in a more concrete way by sponsoring a Friendly Brothers group, the members of which are to go to the Juvenile Court from time to time and extend a helping hand to the unfortunate boys who are moving along the border line of crime, and do all in their power to rescue them from danger. The local branch NAACP, through its president, Attorney Sidney R. Redmond, is to be congratulated upon this movement and we commend this movement to the public because through such efforts we may expect sure and certain results.



## Convicted "Numbers" Banker Takes Case To Supreme Court

ATLANTIC CITY, N. J.—(ANP)—Austin Clark, alias Dick Austin, number banker convicted on charges of evading income taxes, for which he was sentenced to three years in federal prison and loser in an appeal in the U. S. court of appeals, carried his case to the United States supreme court last week. Basing his reason for the appeal before the highest law-body in the country, Clark contends he was convicted on "guess" work by the 60 number writers who testified as to their daily "take". The government charges Clark owed over \$30,000 in taxes.

## Supreme Court Declines To Review Number Barons Case

### Assault Case Folds

ATLANTIC CITY, N. J.—(SNS)—The Supreme Court refusal to review a decision upholding the conviction of Austin Clark, alias Dick Austin, on charges of dodging income taxes, means that one day next week, gates of a federal prison somewhere in these United States will open to receive another inmate. Through legal guidance Austin, put up a stiff fight to evade the three year sentence imposed upon him but in every instance came out the battle a loser. Clark, was convicted on tax charges for 1935 and '36. The Government claims that in '35 his income was \$41,814 and in '36 \$41,121 on which he paid no taxes.

For years Clark, was known as the biggest number banker in the East, operating in both Washington, D. C. and this city. A West Indian by birth, Clark, who is now 44 years of age came to this country in his early twenties and for a number of years employed in a beachfront hotel. From there on a small basis he began backing the numbers and being among one of the first bankers in the city he piled up for himself a vast fortune.

EAST ORANGE, N. J.—Charles Neimert, manager of the Ormont Theatre, appeared in court last week to prosecute assault and battery charges against Mr. and Mrs. Wesley Colling and Mr. and Mrs. King David for having objected to alleged discrimination at the theatre.

The manager was dumbfounded when Attorney J. Mercer Burrell, counsel for the two couples, informed the court that the theatre had been guilty of such, which was against the New Jersey Civil Rights Law.

Mr. Neimert's attorney collaborated with Attorney Burrell in having the assault and battery charges dropped, but the matter of civil rights will be thrashed out in court this Friday. The Ormont, formerly the Lyceum, was the storm center of an interracial fight in 1915 over the showing of the "Birth of a Nation" film.



## Farm Meeting Attracts 100 Negro Farmers

Savannah, Ga., Press  
July 27, 1940

## NEW JERSEY TOLD TO KEEP FUGITIVE

### Bordentown M.T. School Conference Scene; Farm Experts Speak

BORDENTOWN, N. J.—Approximately 100 Negro farmers from all parts of New Jersey attended the Ninth Annual New Jersey Farm Conference here last Thursday. The conference was held in two sessions, which were addressed by R. Slamp, assistant Extension Economist in Marketing at the New Jersey College of Agriculture, and William C. Lynn, administrative assistant to the Secretary of the New Jersey State Department of Agriculture. Slamp emphasized the need for the small farmer, who makes up 80 percent of the total farmers, to grade and standardize his produce in order to sell to the large chain markets which handle the great majority of food produce.

Lynn pointed out the things which the State Department of Agriculture does for the farmer through the two broad functions of the department regularly, which includes eradication of T. B. in cattle, and similar functions; and service, which includes such duties as seed, fruit, and vegetable certification.

Other speakers included: County Agents W. M. Runk, D. L. Kensler, and Harold Lefich; also Cornelius King, special assistant to the Governor of the Farm Credit Administration of the U. S. Department of Agriculture, and L. A. Bevans, director of the New Jersey Extension Service in Agriculture and Home Economics.

W. R. Valentine, principal of Bordentown Manual Training School, and H. D. Jacobs, instructor in Agriculture at Bordentown, presided. Dr. A. E. Robinson, veterinarian of Madison, N. J., summarized the conference.

### GOVERNOR RIVERS GETS LAST LAUGH IN BUCHANAN CASE

ATLANTA, July 26 (INS). — New Jersey now can keep the convict on whom extradition to state authorities was refused last year, Gov. E. D. Rivers had ruled today as the Eastern state sought to return Samuel Buchanan, 26-year-old negro, to Georgia because he had become "a menace to society."

In refusing to accept the escaped convict, who won national notoriety when New Jersey sought to protect him from the Georgia chain gang, Governor Rivers commented: "It is refreshing they have found out that we were right about this negro being a criminal. Maybe some of these Governors who violate their oath of office by declining legal extradition will learn their lesson."

"After their own people have been exposed to the activities of this criminal, they begin to ask Georgia to come and get him. We do not expect to spend the Georgia taxpayers' money in that way. Governor Moore (of New Jersey) and other officials made their bed. Now let them sleep in it if they can."

Buchanan had been sentenced in Georgia to from 22 to 45 years for larceny.

When he fled the Georgia prison system and took refuge in New Jersey, Governor Moore ruled the Southern state had been too severe in imposing the sentence. He withheld extradition. The National Association for the Advancement of Colored People had pleaded Buchanan's case.

Arrested at Camden, N. J., recently on charges of stealing \$45 in clothing, Buchanan today was held without bail, pending final word from Georgia. Camden's acting police chief Mitchell Cohen, was quoted as having told the prisoner:

"You're a menace to society. I hope Georgia takes you back."

## Ga. Loses Interest in Her Escaped Convict

TRENTON, N.J. — State officials refused to comment, this week, on a report from Atlanta that the Georgia State Board of Penal Corrections had decided to renew its request for the extradition of Samuel Buchanan, who escaped from a Georgia chain gang in May, 1939, while serving a sentence of from twenty-two to forty-five years for burglary and larceny of an automobile. Buchanan, whose extradition was denied by Gov. A. Harry Moore at a hearing, last December, was recently rearrested in Camden, N.J. Acting Police Judge Mitchell Cohen told the prisoner: "You have proved you are a menace to society. I hope Georgia takes you back this time."

New Jersey Can Keep Him  
When Georgia's Governor E. D. Rivers heard of the judge's remarks, he told reporters: "After their own people have been exposed to the activities of this criminal they begin to squawk for Georgia to come and get him. We do not expect to spend any of Georgia tax payers' money to go and get him. Governor Moore and other officials made their bed with respect to this prisoner. Now let them sleep in it" say prison following a long fight against extradition, which resulted in a disagreement between governors of the two States. Buchanan escaped from the Georgia prison camp last year. Seized in Jersey City, he was ordered returned to Georgia when Governor A. Harry Moore signed his extradition papers on the request of Governor E. D. Rivers. Buchanan appealed his case to the courts and the latter held that the extradition papers were faulty and set him free. Governor Rivers, in an angry letter to the New Jersey official, intimated that Governor Moore was responsible for the action.

## Chain Gang Fugitive Sentenced

Samuel Buchanan Exchanges  
Georgia Prison For Seven  
Years In New Jersey.

Pittsburgh, Pa.  
TRENTON, N. J., Aug. 8—Samuel Buchanan, convicted burglar, this week exchanged the Georgia chain gang for a seven-year sentence in a New Jer-



# MURDER MYSTERY SOLVED BY DISGUISED DETECTIVES

## House Painter Nabbed By Detectives Disguised As Street Cleaners

Three Department of Sanitation suits figured prominently in the capture of a "crap" game murderer this week.

Detectives of the 32nd Squad, disguised as "white wings," swept streets in the section around 133rd street and Fifth avenue for three consecutive days until they unearthed information leading to the identification and arrest of one William Richardson, 38, who gave his address as 27 West 133rd street.

Richardson, whom police say has a long police record, is accused of the fatal stabbing of a man identified as Anthony Tobak, 45, a Syrian, who lived at 276 Clinton street, Brooklyn.

It was Sunday, a fortnight ago, about 10 p. m. when the man, then unidentified, was found outside of 27 West 133rd street. The man had been stabbed in the abdomen and died instantly. A canvass of the neighborhood failed to reveal identity of either the deceased or his killer. It was then that the three detectives went into action in the "white wings" suits.

Three days later they were seated upon the steps of 27 West 133rd street, the murder location, when Richardson, a house painter, approached. As the man entered the hallway the police nabbed him. Taken to the station-house at West 135th street he denied knowledge of the crime and did not break his silence until the next day in the office of Assistant District Attorney Pugnucco.

Richardson told police that he and the deceased had become embroiled in an argument in front of 53 West 133rd street over \$2

winnings in a dice game. When the Syrian refused to return the money he had won from Richardson the fight ensued ending in murder.

According to police Richardson's criminal record dates from 1932 when he was arrested and convicted of robbery—sticking up a "crap" game, for which he served the sentence of five years. As soon as he got out of Sing Sing penitentiary he is said to have attacked Patrolman Karll, then attached to the 32nd Precinct. He failed to return for trial. So, since 1937 he has been sought for jumping bail.

Hence a chapter in a life of crime ending in murder and featuring an attack on a 32nd Precinct patrolman has been brought to a close by the signal police work of Detectives Barts, Boyden and Prinz, also of the 32nd Precinct.

## Accused Of Fatal Stabbing



WILLIAM RICHARDSON

# Police Seek "Reefer" Sellers As The New York Age Discovers Weed Being Cultivated On 125th Street

The casual remark of a white salesman resulted in an investigation by The New York Age which uncovered a large supply of Cannabis commonly known as Marijuana, growing in a vacant lot on West 125th street near Fifth avenue, and has started an investigation that may lead to the arrest of several Latin Americans, who are said to be responsible for the planting of the weed, which supplies the material from which "reefers" are made.

The lot is the former site of the Harlem (white) Y.M.C.A. and is across the street from the furniture store of Riley Hogan Company at 10-14 West 125th street. One of the salesmen in this store told The Age reporter that a lot of weeds had sprung up lately in this lot, which runs through to 126th street, and he had noticed that several Spanish-speaking people seemed very much interested in these weeds. According to the salesmen, men had been seen gathering the plant in early morning or late in the evening.

The Age reporter secured a sample of the plant and sent it to the laboratory of the Board of Health. Jerome Trichter, acting director of the Bureau of Foods and Drugs, replied as follows:

"Please be advised that examination of this specimen shows it to be Cannabis, commonly known as Marijuana (mari-wana). The Police Department has been notified and they will investigate the matter. They will call on you for information as to the location of these growing plants.

Two detectives from the Narcotic Division of the Police Department called at The Age office and were given the necessary information. They immediately de-

stroyed the plants and are conducting an investigation to discover the persons who gathered supplies of the weed or who were responsible for their being in this particular location.

"Reefers" are cigarettes made from the leaves of marijuana and contains a drug that has an exhilarating effect on the smoker somewhat the same as alcohol. The smoker becomes irresponsible and many crimes committed in Harlem have been traced to "reefer" smokers. The marijuana plant grows mostly Mexico, Central and South America. It is illegal to grow it in the United States, but in recent years it has been found growing in several sections in the vicinity of New York. Last year a field was discovered in bloom on Long Island, near Jamaica.

Manufacture and sale of the habit-forming cigarettes made from marijuana is a violation of the Narcotic Law.

## MAN IN STOLEN CAR SLAYS A POLICEMAN

New York Times  
Falls Victim With Shotgun at  
3:30 A. M. Near Woodmere  
Club Golf Course

New York N. Y.  
Special to THE NEW YORK TIMES.  
WOODMERE, L. I., Sept. 6—Shot at 3:30 o'clock this morning by a Negro in a stolen automobile stalled in Meadow Drive, which bisects the golf course of the Woodmere Club in Woodsburgh, Patrolman Charles Shaw, 33 years old, of the Nassau County police, died three hours later in St. Joseph's Hospital, Far Rockaway.

Shaw and Sergeant Robert Kirk, the former at the wheel, were on

patrol in a police car and were headed east through the drive, formerly Railroad Avenue, when they saw the other automobile, headed in the opposite direction but stalled without lights near the fourteenth green of the golf course. They did not know the car, a maroon sedan, had been stolen. The slayer was its sole occupant.

Patrolman Shaw stopped the police car and started across the road as the man slipped out of the far side of the sedan, arousing the suspicions of Sergeant Kirk, who shouted a warning. An instant later a shotgun roared twice just above the hood of the sedan, and Patrolman Shaw fell to the pavement, wounded in the throat and chest.

## Siren Summons Help

The man, shotgun in hand, fled across the golf course. Sergeant Kirk fired after him, but he escaped. Kirk then touched off the siren on the police car to summon aid.

Benjamin Gross of 480 Park Avenue, Manhattan, a guest at the Woodmere Club, heard the wail of the siren and telephoned the Woodmere station of the Nassau police. Patrolmen Harry Bailey and Christopher Klink responded in a patrol car and took Shaw to the hospital.

A hunt for the fugitive began immediately with the help of searchlights and continued after daylight with the police inspecting cars and even buses but no arrest had been made tonight. Neither had the shotgun been found. The wheel of the sedan was examined for fingerprints.

## Auto Stolen During Night

The police discovered that the car had been stolen during the night from in front of the Crestwood Apartments, about less than a mile from the golf course. Mrs. Gertrude Patience, who lives at 4 Burger Place, employed by Queensbury, pany be Nassau.

He leaves a widow, Margaret, and a daughter, Joan, 6 years old. The Nassau Police Officers and Patrolmen's Association has offered a \$2,500 reward for information leading to the arrest and conviction of the person responsible for Shaw's death. New York Times Sept. 7, 1940.



# POLICE SEIZE ALA. FUGITIVE

Authorities Say He  
Escaped from Prison Camp  
Some Time in 1937

A fugitive from an Alabama chain gang was under arrest this week following his arrest by Detective Knowles, of the W. 123rd street station. He is Johnny Russell, 30 112 W. 144th St., who came to Harlem shortly after his escape from a prison camp during June of 1937.

Police say Russell lived here under the alias of Charles C. Clarke. When arraigned in Harlem Court, the prisoner admitted being once convicted for killing another man in Montgomery and sentenced to life in prison.

# Diamond Finder Is Sent To Sing Sing

James Brown, 32, of 1776 East 18th Street, Brooklyn, was bound for Sing Sing Tuesday following his conviction in County Court on a charge of robbery, after almost persuading police to turn over a \$2,000 diamond to him on his claim that he had found the gem in Prospect Park.

When Brown attempted to pawn the diamond, he insisted that he had found it in the park. The pawnbroker notified police in August, 1939. After five days of questioning, police released him, turned the diamond over to the property clerk and told Brown that if it were not claimed after a specified period he could call for it.

On February 6, Brown appeared and asked for the stone, but police were hesitant over surrendering it, although there had been no claimant. A short time later Mrs. Hazel Wisch of 602 Avenue T, reported to police that a man had held her up and robbed her of the diamond at her home address.

Brown was arrested, charged with robbery, convicted on the basis of Mrs. Wisch's story and sentenced from two to ten years in prison.

# GRILL 806 IN SLAYING ON HUDSON RIVER BOAT RIDE

Moonlight Sail Turns Into "Night of Horror" As Death  
Joins Passenger List of Excursion Steamer.

By TED POSTON  
Staff Correspondent

NEW YORK, Aug. 29.—A gay moonlight sail up the Hudson river turned into a night of horror for 806 guests of a Brooklyn social club early Friday morning when Death joined the passenger list of the excursion boat State of Delaware.

The gaiety was interrupted in the crowded room and pandemonium reigned all over the ship. The skipper of the State of Delaware sounded the distress signal to summon Harbor police and headed the boat into Pier 1. Harbor detectives rushed to the scene, and Black, bleeding profusely, was rushed to Downtown Hospital a few minutes before 1 A. M.

## PANDEMONIUM REIGNS AS MAN SLUMPS TO FLOOR

As Black, who had been dancing with a young woman, slumped to the floor, the other guests fled.

one, including the officers of the Weeping Willow Social Club, sponsors of the boat ride, immediately identified Black's assailant.

MARRIED BROOKLYNITE  
TAKEN INTO CUSTODY

After several hours of grilling, during which the guests were kept in technical custody on the State of Delaware, detectives were informed that the 43-year-old Black had quarreled with 23-year-old Derrell Meadows, a young married Brooklynite who lives at 143 Albany avenue.

Meadows was rushed to the First Precinct station at South street and Old Slip where he was booked on a charge of felonious assault by Detective James McDonald. A half hour later, hospital authorities called in to report that Black had just succumbed to the deep knife thrust behind his ear.

Two hours later, after extensive grilling, Meadows was booked on a charge of homicide. Later in the day he was arraigned before Magistrate Hopkin in Homicide Court and held without

bail for the Grand Jury.

Police insist that the two men had quarreled over the attentions of a young woman whom they declined to identify. The 806 guests were permitted to leave the ship after Meadows was first booked on the felonious assault charge.

## MURDER INCORPORATED

The jury decided that the two gangsters on trial for murder in Brooklyn were working members of Murder Incorporated. The implications of this trial are shocking. In a certain stratum of the community in which we live it was possible for a few dollars to hire assassins who would guarantee the murder of any specified individual. But District Attorney O'Dwyer has been cutting away at this poisoned tissue ever since he took office, and it begins to look as if the operation would be a success.

The chief informant against the two gangsters who were convicted yesterday—"Kid Twist," as Abe Reles prefers to call himself—glories in his record. Questioned on the number of victims he has "rubbed out," he counts them on his fingers and figures up to eleven. He has difficulty in remembering the names or mob-names of so many, but finally calls the roll triumphantly. He had no animosity against any of them. The death of each was accepted "on contract." The only doubt excited by his graphic recital is whether such a man should be allowed to save his life on any terms.

# OFFICER HIT OVER HEAD IN ALLEY TUSSLE

Prisoner Claims He Was

On Lookout For  
President Roosevelt

Patrolman John Quilte, assigned to the 32nd precinct was slugged almost into unconsciousness Monday afternoon as he and Detective Joseph Flinter sought to subdue a 66-year-old man, who asserted he was looking for President Roosevelt.

The prisoner, James Parker, 66 year old, of 233 West 134th Street, had been arrested in the alley next door to the police station where he was found

# ROBBERS STAB FRED DICKENS

Real Estate Broker, Politician Wounded in  
Chest by Thugs  
NOV 9 1940

Fred Dickens, prominent real estate broker and long active in Democratic politics in the 19th Assembly District, was stabbed in the left chest late Monday afternoon during an altercation with four unidentified men at 125 W. 126th St. Dickens, 48, is confined to Harlem Hospital and his condition is not regarded as serious.

His brother, Eugene, 44, was stabbed also when he rushed to the aid of the well known politician. He suffered a stab wound in the left thigh. After being given emergency treatment by an ambulance physician, Eugene was allowed to return home.

At Harlem Hospital, meanwhile, it was said Wednesday that "Mr. Fred Dickens is resting fairly well." Although police failed to make an arrest in the assault, reporters learned that the Dickens brothers had been arguing with "some tenants of an unsavory character who had been asked to vacate premises at 126th St."

loitering, carrying a heavy stick.

The police said they went to question the man and that instead of submitting the interrogation he lunged at them wielding the stick as he moved in. Officer Quilte was felled with a blow on the head and pitched forward, as Detective Flinter, who was close by rushed to his rescue.

Seizing the man from behind Flinter was able to overpower him after a struggle. When the prisoner refused to walk, he was dragged into the station where he was examined by a police physician, who ordered him to Bellevue hospital for an examination.



## Official Mixup

# Early Tells of 'Kneeing' Policeman Guarding President

OCT 30 1940

New York, Oct. 29 (AP).—Stephen T. Early, White House secretary, said in Washington today that he "gave the knee" to one of several policemen who had pushed him in an effort to prevent him from boarding the President's train last night at Pennsylvania Station here.

Early denied that he had kicked any policeman and explained that in the scuffle he threw up both hands to fend off one officer and at the same time "gave the knee to one of them" coming at him from the side.

A colored patrolman, James Sloane, 42, who was injured in the scuffle, was reported confined to his bed today, suffering from complications from a recent hernia injury. A police surgeon had treated him for contusions of the abdomen.

Sloane said he had received "strict order not to speak about this case." Earlier he had reported that a man unknown to him and bearing no credentials, appeared at a gate on the lower level of the station and after being halted, kicked him.

Early, however, said that when he neared the train, his party was halted by a squad of policemen who allowed them to pass only after a Secret Service operative interceded for them.

At the foot of a stairway to which they were directed, Early said a second squad of policemen stopped his party. He quoted the officer in charge as saying, "Ain't nobody going to go in there."

Early said he told the officer his name and official position and that the sergeant gave him a stout push. He said he rushed back and during the ensuing scrambling the "knee" incident occurred. Later, he said, he was able to establish his identity with a police captain and was escorted to the Presidential train.

Capt. Walter Harding, commanding the West 123d Street Station, reported today that he was making a "complete investigation" of the case.

## YOUTH, 17, IS SEIZED IN PARK AS ROBBER

Reign of Terror in Which Knife Wielder Held Up 25 Women Is Laid to Grocery Clerk

### \$3,000 BROOCH RECOVERED

NOV 10 1940

Pin Taken on Oct. 28 Traced to Safety Deposit Box and Leads to Second Arrest

NOV 10 1940

The arrest early yesterday morning of a 17-year-old Negro grocery clerk in Central Park who sought to elude a policeman by hiding in the bushes, ended, the police declared, a one-man reign of terror in the park during which twenty-five women had been held up and robbed at the point of a knife.

Among the most recent of his victims, the police declared, was Miss Mary Lewis, business executive and stylist, whose \$3,000 diamond brooch allegedly was taken from her by the prisoner at 8:45 A. M., on Oct. 28. The brooch was recovered yesterday by detectives after the youth had been questioned for several hours. He told the detectives that his name was Joseph Allende and that he lived at 1689 Madison Avenue. Arrested with him was John Galea, 51 years old, of 207 East 104th Street, who described himself as a porter and dealer in second-hand gems. Detective Lieutenant Vincent Kiernan declared that Miss Lewis's brooch had been placed in a bank safety deposit box by Galea who was charged with receiving stolen goods.

Allende, who was charged with robbery, violation of the Sullivan Law and larceny, was found in the bushes in the park by Patrolman Michael Gramlich. A search of the prisoner revealed a World's Fair pass book bearing Miss Lewis's name as well as a knife with a five-inch blade.

According to the police, Allende admitted that he had robbed at least twenty-five women during the

past few months, including Miss Lewis, whose brooch, he said, he had "given to a friend of the family." The friend, the police declared, was Galea, who was found at work in an office building at Fourth Avenue and Twentieth Street. Galea directed the police to the Public National Bank and Trust Company at 116th Street and Madison Avenue, where, in a deposit box, the brooch was found. Miss Lewis, who is in Columbus, Ga., was notified.

Lieutenant Kiernan added that Allende had been identified by Mrs. Rosalind Siegel of 12 East Ninety-seventh Street, as the man who had robbed her in the park yesterday morning near the spot where he was found. A youth, who threatened her with a knife, took \$15, some keys and personal effects from her, Mrs. Siegel said.

Allende, the police said, sold most of his loot and used the money to "buy flashy clothes," although he was dressed in a sweater, blue dungarees and wore sneakers when captured. The two prisoners will be sent to Felony Court tomorrow morning.

FDR'S SECRETARY AS-SAILED FOR KICKING NEGRO COP

NEW YORK, Nov.--

(CNA)—A wave of bitter protest swept the nation this week over the kicking of a New York policeman by Stephen Early, President Roosevelt's secretary, while the officer was on duty guarding the President's train at Penn Station. The victim of Early's exhibition of racial hatred, Patrolman James Sloan has announced his intention of seeking a warrant for the arrest of Early.

In Washington, the President's secretary admitted he had "kneed" a Negro policeman when he was stopped at stairs leading to the Roosevelt train. Patrolman Sloan at his home, 225 W. 110th St., where he is confined to bed, denied that he had been "kneel."

"He didn't kick me with his knee, as he claims - he kicked me deliberately with his foot," Sloan said.

"If I did that to him, I would have been suspended and brought up on charges. I have the same privileges as him. I'm a citizen and I also vote. He didn't act as a citizen: he didn't act his part as an official.

"I received orders not to let anyone cross the line. This man could have done the same thing the President did, riding down in the elevator and going the usual way to the train. Instead, he comes through the crowd.

"He tried to cross the line and I stopped him. He told me he was secretary to the President. I told him I didn't care who he was - that I had orders not to let anyone pass.

"He kicked me deliberately in the groin, where I was operated on, and as I fell down I yelled to other police officers to grab him.

Before I yelled that, this man said to me.

"You better be glad that I didn't do more than I did."

Asked if he had received any apologies from Washington, Sloan said:

"No, and I'm not going to accept any. I'm going to the extreme limit. The man meant what he did."

The patrolman, operated on in July for a hernia, has been on the force since Dec. 13, 1923. He has five children, ranging in age from 8 to 18, and has been

president of Hampton Institute, Hampton, Va., issued the following statement:

Those who scored the action of Early included some of the nation's best known educators and other public figures, Negro and white. Robert Ogdon Purvis, vice-

from that institution:

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table to have any racial animosity shown by any person in a position of public importance regardless of his political office."

In New York City, Dr. Walter Grey Crump, white, trustee of Howard University and vice-president of the National Association for the Advancement of Colored People, declared he was "greatly shocked" by the unfortunate incident."

SOURCE: C. USAD R. NEWS AGENCY

30 West 125th St. New York City

November 4, 1940

Cyril Briggs,  
Editor

## NAACP TO Investigate Speedy Trials Of Boys

NOV 16 1940

HUDSON, N. Y., Nov. 14.—An investigation by the National Association for the Advancement of Colored People has been launched here into the arrest of three Negro youths October 27, and their trial and conviction the following day on third degree assault charges growing out of their fight with several white men, one of whom it developed was a New York state trooper on vacation.

The youths were: Denny and Carroll Williams, brothers, 19 and 25 years old respectively, and George Washington, 21. According to an association investigator, who visited Hudson Nov. 6, the youths, who are represented by an attorney, are out on bond pending the hearing an appeal from their conviction. The N.A.A.C.P. is studying its investigator's report with a view to presenting the evidence before Gov. Lehman demanding an investigation.

## 'Confessed' Under Lynch Threat, Negro Charges

Boxer Held in Upstate N. Y. for Striking State Trooper in Self-Defense Reveals That Intimidation Forced Guilty Plea

NOV 20 1940

(Special to the Daily Worker)

HUDSON, N. Y., Nov. 19.—Daniel Williams, Negro boxer charged with third degree assault allegedly committed on State Trooper Corporal Edward F. Merkle of this city, filed an appeal this week declaring that a confession of guilt had been obtained from him under threat of being lynched. He charged that "men in uniforms, not police officers, had been permitted to walk in and about the police station stating that they were about to lynch myself, my brother and my friend."

### CITES INTIMIDATION

Williams' affidavit states:

"I was given to understand after I had pleaded not guilty that it would be useless for me to employ a lawyer, as my word would not be taken against that of the said Merkle.

"Also I was given to understand that in the recent I did not plead guilty that my brother and friend (Carroll Williams and William Washington, also charged with assault) could be convicted and given sentences of from five to ten years in a higher court.

"At the time of the hearing in City Court I was thoroughly frightened by reason of the fact men in uniform, not police officers, had been permitted to walk in and about the police station stating they were about to lynch myself, my brother and my friend; that a man, not a police officer, was permitted to shove me around the police station; that my lawyer (not his present counsel) was intimidated into not representing me after I had engaged him."

R. W. Herzberg and R. M. Herzberg, attorneys for the Negro boxer, have asked that all proceedings leading up to Williams be annulled and set aside; that the plea of guilty be reversed and that a new trial be held in the County Court under the plea of not guilty.



## OF GRAVE CONCERN

ONE OF OUR READERS sends in a letter which is very timely right now what with the police department finding itself confronted with an increased wave of juvenile delinquency and petty robberies. Said the letter:

"The continued wave of house burglaries in the Harlem and Heights sectors are grave causes for growing concern of the citizens of these sections for their safety."

While my home has been robbed twice, the second only recently, I do not write this from a selfish viewpoint, but from

my interest in the welfare of honest and hard working law abiding colored citizens, who are becoming quite indignant over the lack of protection accorded them in a city which boasts of having the finest police department in the world.

"When we are robbed we have to go to the police station, report it, get a letter to all pawnshops which we are to call upon ourselves, and we rarely hear of anyone ever finding their stolen properties in these shops. This, of course, leads many of us to believe that the raids are systematically organized and some means of disposal of goods arranged for."

"We, who are already exploited, can least afford to be subjected to the constant burglarizing of our homes."

The above letter, copy of which was sent to Police Commissioner Lewis J. Valentine, sums up a common complaint in Harlem these days. Not only are the homes of private citizens being burglarized, but shop-keepers are making the complaint that their stores are being robbed, too.

It seems that with all the policemen the city has burglars and hoodlums would be afraid to so openly ply their trade, but not even the numerous radio cars have been a deterrent. Something is definitely wrong.

Were not ample relief being given to needy Harlemites, we would say that part of the cause was an economic one.

The trouble goes further than that. Our youths have not yet learned to respect other people's private property and personal belongings. The first step usually is the theft of a banana or piece of fruit from a vegetable stand. When the youth consistently does that without being stopped by indulgent adults he soon loses all sense of proportion and grows up with the idea that he can get away with it forever. From the little and petty thefts spring the larger ones until finally stealing is so ingrained that it becomes second nature to the perpetrator.

Much of the trouble lies, of course, with the parents of the children for leaving them to play and roam out in the streets all day long without proper supervision. There are playgrounds and competent instructors in those playgrounds. There is also the new Harlem Boys' Club which has an attractive program and every facility for the enjoyment of boys and girls. If our children utilized these facilities they would receive valuable training and the supervision and guidance which is so essential.

Another solution would be for parents to enroll their children with the Boy Scouts or the Girl Scouts, depending on the sex of the child. One of the cardinal principles of the scouts is honesty. Respect for other people's property is another. But again, unless the parents act the child will not normally seek membership in the organization. The responsibility for juvenile delinquency and hoodlumism lies squarely at the feet of the parents of the community for if they had properly discharged their obligations to their children there would be a minimum of crime and trouble.

The Police and the courts can only arrest and punish offenders. The parents must concern themselves with seeing that their children do not become offenders.

FIGHT RAGED  
THREE YEARS

John Williams Granted  
Unconditional Re-  
lease Friday

DEC 21 1940

After three years of hectic battles, the Brooklyn Council of the National Negro Council, finally secured the unconditional release of John Williams, principal in the borough's sensational "Scottsboro Case," in Kings County Court on Friday morning. Assistant District Attorney Clarence Wilson moved that the indictment be dismissed, stating that the evidence indicated that there was not enough to formulate a case against Williams.

Williams became a public figure three years ago, when he was apprehended on a charge of rape. The testimony of the complainant was conflicting in several details and the National Negro Congress together with numerous other boro organizations, took up his defense and provided him with counsel.

On two occasions, he was convicted and on each instance, the Appellate Division reversed the decision of the lower court. Following the second reversal, the campaign to free Williams reached its height, and because of the drive, District Attorney O'Dwyer agreed to free Williams pending an investigation of the charges by the Congress that Williams' arrest was due to perjured testimony.

The Congress further charged that the convictions were due to "prejudicial attitudes" of the juries and of the court itself. Emphasis was placed on Judge Brancato's statement: "I would give him 20 years if I could. Remember she was a white woman."

Williams in a statement to the Amsterdam News, thanked the Brooklyn Council, the press

and the hundreds of Brooklynites who led the fight against discrimination and for equal treatment for Negroes in the courts of Kings County.



## 25 FREED IN FARE THEFTS

## City Subway Employees Receive Suspended Sentences for Aid

*Times*  
6/12/40  
*New York*  
Judge Allen in General Sessions suspended sentences yesterday on twenty-five of the thirty-seven employees of the city's Independent Subway who had been indicted in January, 1939, in what District Attorney Dewey charged was a conspiracy by which about \$1,500,000 in nickel fares were stolen from station turnstiles. The court acted on the recommendation of Assistant District Attorney Nathan Kaplan. The prosecutor explained that the twenty-five, who had been station agents and maintenance men, had confessed and cooperated with Mr. Dewey's office in the investigation that led to the indictments.

Judge Allen, however, sentenced another of the station agents, George W. Jones, 49, a Negro, of 355 East 165th Street, the Bronx, to a one-year penitentiary term. Jones, although pleading guilty, refused to cooperate with the prosecutor's office. The judge also postponed until July 12 sentences on two others who had pleaded guilty, but had refused to help in the investigation.

Nine of the thirty-seven had entered not-guilty pleas on indictments and three of them subsequently were convicted by jury action and sentenced to Sing Sing terms. The trials of the others are pending.

## Indeterminate Term

## Given Negro Agent

## In Fare Theft Case

*Memorandum*  
Twenty-five of 26 Independent Subway System employees who pleaded guilty to conspiracy in connection with the theft of subway turnstile fares, received suspended sentences in General Sessions Court Friday before Judge William Allen who said that District Attorney Thomas E. Dewey's office had informed him of the cooperation of these men in stamping out the racket.

The only man not treated leniently was George W. Jones, 49-year old Negro, whose address was given as 355 East 165th street, the Bronx. Jones, a station agent, was accused of not aiding the prosecution and was sentenced to

an indeterminate term, not to exceed three years in the penitentiary.

## FAKE "SCOTTSBORO BOY" SEEKS FUNDS; GIVE HIM NOTHING!

*Globe*  
7-12-40  
*New York*  
NEW YORK, July 11 (ANP)—The Scottsboro Defense committee this week issued a warning to the public to be on guard against fallacies who are making appearances and appealing for funds for the Scottsboro boys. According to their warning, a young man traveling under the name of "Rev. Willie Wright" is posing as one of the freed Scottsboro boys.

This "Rev." has made many speeches in churches, collecting monies which are supposedly for the defense fund, said the warning. The defense committee asks that any one posing as a representative of the committee be asked to show credentials signed by Dr. Allen Knight Chalmers, chairman of the committee.

*Globe*  
7-12-40  
*New York*  
Cooperating organizations signing the statement contained in the warning are American Civil Liberties Union, Brotherhood of Sleeping Car Porters, Church League for Industrial Democracy, Fellowship of Reconciliation, International Labor Defense, League for Industrial Democracy, Methodist Federation of Social Service, National Association for Advancement of Colored People and the Unitarian Fellowship for Social Justice.

## We're Still on the Case

Several years ago Col. Charles A. Lindbergh's two year old child was kidnapped, and immediately the entire forces of the United States government were turned loose on the trail of the abductors. There was no let up until after Bruno Richard Hauptman, New Jersey carpenter, had been convicted and electrocuted for the crime.

A year ago, last week a little Negro child, equally dear to its parents as was Charles A. Lindbergh, Jr., was "snatched" from in front of a department store on busy 125th St. But a year later nothing has

been accomplished toward capturing the kidnapers. The police department announced officially, "We are still on the case," while privately officials say, "There is really nothing we can do, but we are hopeful that someone will drop in some bright day and give us a clew."

## THREATEN TO HURL MAN INTO RIVER

*Amsterdam*  
A couple of Harlem youths were arraigned in Washington Heights Court Monday for allegedly threatening to throw a white man into the Hudson River because the man remonstrated with them for using loud and indecent language.

Both were found guilty of disorderly conduct and held for further investigation while awaiting sentence. Police identified them as James Brown, 21, 128 W. 122nd St., and Cole Boykin, 19, of 2294 Eighth Ave.

Thomas Corker told Magistrate Farrell that the boys passed him on a fishing pier at 133rd St. and the river, cursing and using otherwise abusive language. When he asked them to stop, they grabbed him and pulled him over to the edge of the river.

## Faces 45-Year Term For 85-Cent Holdup

SEP 14 1940

*The Amsterdam News*  
Jack Meyers got only 85 cents and an umbrella when he held up a man near his home in South Jamaica on June 25. Thursday he faced a possible 45 years in prison if he is found guilty.

The Grand Jury indicted Meyers, 24, of 109-53 Union Hall street, on charges of robbery, grand larceny and assault.

He is charged with threatening James Wilson with a knife and taking the change and umbrella from him. It happened at 157th street and 109th avenue.

Meyers pleaded not guilty and was remanded to jail for setting of a trial date.



# FOUND BEATEN, BRUISED, BORO COLLEGE YOUTH'S HAZED MIND ALONE HOLDS SECRET TO MYSTERY

By ALFRED A. DUCKETT

The key to a strange mystery locked in his semi-conscious mind, Oswald Williams, 19, of Jefferson avenue, lies on a rain-racked Kings County Hospital bed while tense parents, borough police and a horde of anxious friends await his return to full recovery.

If and when learned, the solution to the mystery will give the reason why the nineteen-year-old college lad was found late last Monday night lying outstretched on the top step of the stoop at the Jefferson avenue address, his head brutally lacerated, the cruel marks of bruises about his neck and throat.

Young Williams was last seen before the curious mishap by his bosom pal, James Merrick, who lives directly opposite him on Jefferson avenue. The two had been listening to the broadcast of a baseball game. The game over, Williams bade his friend farewell and proceeded across the street to his home.

Slightly later a shocked tenant of the Williams home discovered the youth's unconscious form and hastened to summon his parents.

## Unconscious Four Days

Hospital authorities said the victim had sustained a possible fractured skull and serious injuries and bruises about the neck. For an anxious period of almost four days, the youth's parents hovered about his bedside waiting for him to regain consciousness. It was Friday evening before he stirred, recognized them and found it possible to talk. His weakened state would not permit him to be questioned concerning the accident or attack.

The surgeon who attended the handsome New York University junior told the boy's parents there was no doubt in his mind but that he had been struck. It was held possible however, that young Williams could have fallen. It was obvious however, that a fall would hardly have resulted in such severe injuries especially since the victim was found on the top step. More plausible was the supposi-

tion that the lad had been attacked by a group of hoodlums or brutally beaten by a sneak thief or prowler whom he might have interrupted in an attempt to enter the Williams' home. It is a known fact that the Bedford sector has recently been visited by roving gangs of youths who have severely beaten youthful residents here on several occasions. In support of the third theory, it was revealed, that Oswald's key had been found lying on the stoop. This conceivably indicates a struggle as he was about to enter the home.

At the hospital it was said that it will be two or three weeks before the patient is sufficiently well to remember what happened the night of Monday, August 5th. It was the belief of doctors that the



OSWALD WILLIAMS

incidents leading up to Williams' injuries will naturally return to his mind after that period has elapsed and that he will volunteer the information.

## Complain About Police

Relatives and friends of the young accident or assault victim were highly incensed over what appeared indifference or negligent handling of the case by police of the 81st Precinct, Ralph and Gates avenues. Oswald Williams, Sr., father of the youth, pointed out that although police were sum-

moned as soon as the body was discovered, it was fully two hours before a patrolman reached the home.

Another shortcoming on the part of police attention in the case was seen in the fact that despite the strange circumstances surrounding the lad's injuries, detectives failed to appear at the Williams' home until three full days after the occurrence and then only appeared Thursday morning after the boy's father had found it necessary to telephone the office of Brooklyn District Attorney William F. O'Dwyer to complain of the inattention on the part of police.

When they finally did arrive at the home, Williams, Sr., told The New York Age, detectives offered the explanation that the delay had come through the negligence of the patrolman who went to the house the night of the mishap. They stated this officer had said in his report of the case that Williams' father had said his son was "sick and fell". The father denies having made such a statement.

Quietly unassuming, nevertheless of a pleasant disposition, young Williams has many friends among younger and older folk of the borough. He has been a consistently brilliant student at the public schools he attended and is enrolled in the Engineering Division of the School Aeronautics at the Washington Heights branch of New York University.

## Gunman Killed Battling Cop Is Unidentified

3000 in Near-Panic During Gun Duel At Theater Hour

The unidentified body of the man in the green hat, whose gun duel threw 3000 theatergoers just off Times Sq. into near panic last night, lay in the morgue today.

He was dead from a bullet from his own revolver, the revolver he had used a few minutes before to shoot at two pursuers.

As Patrolman Joseph Schecker of Traffic B exchanged shots with the man, patrons waiting to see the plays in the Plymouth Theater and the Music Box dodged into doorways and cowered.

The shooting started after a man, also unidentified, rushed to Officer Schecker and appealed for protection. Pointing to a man in a green hat, he shouted, "That man has a gun and he threatened to kill me!"

Patrolman Schecker drew his gun, looked around and spotted a sallow-faced man weighing 130 pounds, standing 5 feet 6 inches and flourishing a revolver. The man had a thin-penciled mustache and wore a faded blue suit, soft green hat and black shoes.

Patrolman Schecker ran toward the gunman and the informer disappeared. The chase was on. Starting on the east side of Eighth Ave., between 45th and 46th Sts., the gunman ran east into 45th St. and slipped into the crowd of theatergoers.

The green hat made him easily seen, however, and Patrolman Schecker was on his heels when the man ran in and out of a line of parked cars in an attempt to shake his pursuer.

Seeing he was about to be overtaken, the man wheeled in front of the Plymouth Theater at 236 W. 46th St., and using a parked taxicab as a barricade, fired a shot that went wild. The crowd scattered and Patrolman Schecker closed in. The gunman fired again, wounding the patrolman in the leg.

Patrolman Schecker fell writhing to the pavement and the man tried to dodge into the lobby of the theater. Here James Mitchell, 40, 1322 Fifth Ave., a Negro doorman at the theater, rushed to him. The gunman fired point blank, seriously wounding Mitchell in the jaw.

Patrolman Schecker crawled to a point of vantage behind a cab and fired a shot. The gunman reeled, shot in the chest, and sprawled to the sidewalk.

## Shields Wife.

Harry Rose of Larchmont, who was crouching in an alleyway, his body shielding his wife from the bullets, saw the man shoot himself in the head.

Both victims of the gunman were taken to Polyclinic Hospital, where it was found the bullet fired

at Mitchell had penetrated both sides of his jaw. The gunman's body was left on the sidewalk for several hours. A check of fingerprints in police headquarters failed to reveal any record.

In the pockets of the slain man were 30 cents, a half-empty pack of cigarets, three keys on a ring. The revolver, a 38, had been fired five times.



## Pickens, Jr. Denies Forgery Charges

NEW YORK—(A N E)—William Pickens Jr. prominent young lawyer, was arrested in his offices last week on charges of second degree forgery and larceny. When arraigned before Judge Donnellan in general sessions court he pleaded not guilty.

According to the district attorney's office, the young attorney allegedly gave an insurance company general releases bearing forged signatures of clients he had represented in accident claims in two instances. After receiving the checks, they were cashed bearing forged signatures of clients, it was charged.

# William Pickens, Jr., Facing Trial On Insurance Charges

NEW YORK, Jan. 4.—Accused of second degree forgery and petty larceny, Attorney William Pickens Jr., son of the director of branches of the National Association for the Advancement of Colored People, was free in \$500 bail this week following his arrest by a detective from District Attorney Dewey's office.

Attorney Pickens, who was arraigned before Judge Donnellan in General Sessions court, was taken into custody by Detective Canavan of the prosecutor's office, on a complaint arising out of two accident cases settled by an insurance company.

According to the complaint, Attorney Pickens allegedly gave the insurance company two general releases bearing forged signatures of clients he had represented in the accident cases. The checks, which were allegedly received by the lawyer, were also reported to have been cashed with forged signatures.

The rising young lawyer entered a plea of not guilty when arraigned in General Sessions and was immediately released on bail.

The district attorney's office revealed that the cases allegedly involve a check for \$50 for which a general release was given on April 19, 1939, for Frances and James Ray, and another check for \$60, endorsed with the name of John Peeples.

Attorney Pickens, who was associate counsel for the New York State Temporary Commission on the Condition of the Urban Negro Population, maintains offices at 38 Park Row.

## THE DAILY MIRROR AND HARLEM

SOME YEARS AGO THE HEARST newspapers in New York were accused of featuring only crime news from Harlem and headlining only crime news of the Negro, thus giving the impression that the majority of Negroes were criminally inclined. But since some of our Negro papers, notably The Amsterdam News, decided to publish more "muck" than the New York Journal-American, the white papers decided to ignore Harlem.

Last Friday morning, however, The Daily Mirror, published the story of the finding of a 23-year old white girl at 101st street and Second Avenue and featured the story by announcing that the girl was slain in Harlem. We would like to inquire just what the boundaries of Harlem are?

The section usually designated as Harlem begins at 110th street and extends north to 155th street, from the Harlem River on the east to St. Nicholas avenue on the west. This territory is populated largely by Negroes, but the section the murder referred to occurred in a section populated almost exclusively by whites. Anyone unfamiliar with the geography of the territory would naturally conclude that the murder was in a Negro neighborhood and the murderer was himself a Negro. One can readily understand how, under the circumstances, white internes assigned to ambulance service in Harlem get the impression that the streets of the neighborhood are unsafe.

During the past year we have been concerned about the tremendous amount of unfavorable publicity Harlem has been given and feel strongly that residents of this neighborhood, business and civic organizations in this section of the city should do something to offset this publicity. They can at least protest to the editor of The Daily Mirror for this misleading headline and demand that the Hearst papers cease publishing only crime stories about Harlem.

## Says Whites Besmirch Good Name Of Harlem

NEW YORK, March 15—In tones ringing with indignation, Judge Myles Paige, sitting in Special Sessions, to which he was recently appointed by Mayor La Guardia, as mayor to refer to such characters sailed outsiders who move into Harlem and open up candy stores that do nothing but serve as a blind for their operations of the policy games. This, he said, tends to give and bring discredit on the reputations of the community's citizens.

Judge Paige's verbal blast occurred on Tuesday afternoon when three white men who admitted being members of a policy bank whose daily take in the Bronx and Harlem was estimated at \$500 were fined and sentenced to the workhouse.

The defendants, Louis Katz, Irving Gelfand and Morris Katz, all of Brooklyn, were given six months in the workhouse and fined \$500 each. Their apartment had been raided by Brooklyn detectives on December 21, who said they found tabulating tapes and other machinery used in the policy game.

### Sentence Not Enough

In his dissenting vote, Judge Paige recommended that they should be sent to the penitentiary. He



## SLANDERING HARLEM

HERE'S A SAMPLE of the type of propaganda slanderous to Harlem about which we have been complaining so much recently:

Herman G. Schwarz, counsel to the Taxpayers Union of the City of New York, made public last week a letter of protest which he sent to Police Commissioner Valentine against the police arrangements for the protection of the Queen Elizabeth which he said was costing the taxpayers \$1,300 a day. Instead of adding such a burden to the taxpayers, Mr. Schwarz said that the police more properly should provide greater protection for rent collectors in Harlem.

"Since when does the City of New York owe a duty to the British Government to supply them with police protection of the Queen Elizabeth at the tune of \$1,300 per day, all paid by the taxpayers of the City of New York?" asked the attorney.

We do not know what Commissioner Valentine replied but he might have told the anti-British lawyer that the White Star Line, owners of the Queen Elizabeth, pay to the City of New York more than a thousand dollars per day rental for its pier and for this rental is entitled to the full protection of its property, just as rent collectors are entitled to protection.

He might also point out that Harlem is not the only section of the city in which rent collectors are occasionally robbed and cite figures to prove that few of these robberies go unsolved or the criminals unpunished.

The publication of Mr. Schwarz's slanderous reference to Harlem probably caused many people unfamiliar with the Negro section of the city to get the impression that the streets of Harlem are unsafe for strangers, especially if they are white. The Mayor and Police Department can do much to check this type of propaganda but the people of Harlem should also try to correct any such false information by giving to the press the facts and demanding a correction whenever such statements are published in the daily press.

## MAN TO BLAME FOR DEATH OF NEGRO COP SENTENCED

Thief Who Was Pursued By  
Patrolman Holt Gets An  
Indeterminate Sentence

Rudolph Cammac, 34, 54 West 114th street, whose burglary attempt resulted in the death by accident of heroic Police Officer John Holt recently, was sentenced to 1½ to 3 years in Sing Sing Wednesday by General Sessions Judge George L. Donnellan. Cammac had pleaded guilty March 1 to attempted third-degree burglary.

It was during an attempt to capture Cammac who had looted the apartment of Sylvia Smith, 226 Bradhurst avenue, February 12, that Holt was killed. The policeman, off duty, rushed from his home in shirt sleeves, gun in hand in pursuit of the burglar. Mistaken by two brother officers for the criminal they were also seeking, the Negro patrolman was shot down in cold blood.

Cammac was arrested two nights later after he had barricaded himself in his apartment. Detectives Barts and Cusberth and Lieut Kline who made the capture, reported they had found loot in his room at more than \$2500, representing the ill-gotten-gains of a series of burglaries.

Eugene Cammac, 27, 234 Bradhurst avenue, brother of the convicted man, who was accused of assisting the latter in his attempt to hide from police, was arrested as an accessory after the burglary, but freed February 21 when the Grand Jury failed to indict him.

## Harlemite Absolves Brother Of Murder

NEW YORK, April 19—The trial of the Johnson brothers, Robert, 31, and Gilbert, 25, came to an unexpected and dramatic close Wednesday in General Sessions court before Judge Street when Robert completely absolved his brother of any part in the crime for which they had been accused.

They had been charged by police with murder in the second degree in the fatal stabbing of John Wright, 37, 4-20-40. Francis E. Rivers, assistant district attorney, handling the case for the state, put several witnesses on the stand who testified that while Gilbert held Wright's arms, his older brother plunged a six-inch bread knife into his side.

Miss Theresa Williams, state's witness, testified that while she was standing in the vestibule of the 28th street house where the murder occurred, and also the home of the Johnson brothers, an argument was started between Mrs. Bessie Johnson and her husband, Robert.

Continuing she said that when Mrs. Johnson struck her husband over the head with a frying pan, Wright rushed into the apartment attacking Robert with a knife, who in turn cut Wright.

When Gilbert was called to the stand he said that on December 17, 1939, he came home with a bottle of King Kong that he had purchased earlier in the evening. He and his brother went to the room of Wright to drink, he admitted. In the room at the time were Mary Wright, the slain man's sister, and her friend Thelma Williams.

After awhile he said he left the party and retired to his room because he felt sick and took a nap. He was awakened by his sister-in-law, he said, who told him that "Wright had been stabbed." Then she told the court, he went to a police signal box and reported the incident.

When the court was called to order Wednesday, Robert Johnson was called to the stand to testify in his own behalf. Before his attorney John H. Lewis could ask him any questions he turned to the judge

and asked to make a statement. Granted permission, he turned toward the overcrowded court room and said in a loud and clear voice. "Your honor, my brother, Gilbert, is innocent. He was not near the

scene of the fight. I plead guilty to manslaughter in the second degree."

The district attorney accepted the plea and Judge Street exonerated Gilbert of any connection with the crime. Robert was held to appear for sentence on April 25.

## Gotham Insurance Man Slays Negro Helper by Mistake

NEW YORK CITY (AP)—Because he was afraid of being held up in one of the numerous darkened hallways in Harlem, Nicholas Finelli, 45, white, a collector of the Unity Insurance Co., killed William Foster, 37, as his bodyguard three months ago.

Last Monday afternoon, what insurance man Finelli had feared all along, really happened. Passing through a dark hallway while making his rounds with Bodyguard Foster, he was challenged by two colored gunmen, ordered to "reach for the sky."

Instead, Finelli reached for his gun, fired, as he thought, at the darkened forms of the gunmen, firing seven shots in all, two of which he was sure had bored into the bandit confronting him. When the smoke of battle had lifted the gunmen were gone, but alongside the darkened wall lay the inert form of Bodyguard Foster. He had been shot in the back and was dead when the ambulance surgeon arrived.

Finelli was arrested for violation of the Sullivan law, which requires pistol-toters to register their permits with county authorities. Shortly after the shooting, detectives arrested George Smith, 18, in Harlem Hospital for attempted robbery in connection with the holdup.

The youth had been admitted to the hospital for treatment of

bullet wounds in the arm and leg. He told police he had run from the tenement house holdup scene to a billiard room where he got two men to take him to the hos-

pital in a taxi. Police are still seeking the second bandit who escaped.

## MELON THIEF IS KILLED

Dives Under Wheels of Truck in Effort to Escape Capture

Diving under the wheels of a moving truck to escape capture by a farmer whose van he was looting of watermelons, Claude Cheney, 25 years old, a Negro laborer, of 11 New Bowery, was killed soon after 3 P. M. yesterday at Beach and West Streets when he was crushed beneath the rear left wheel of the vehicle operated by John Gallagher, 35, of 501 West Fifty-first Street.

With three other Negroes, Cheney was taking fruit from the van of Clifford De Witt Kay of Calhoun, Ga., parked at Franklin and West Streets, when the owner saw them and rushed at the group. They drew knives and Kay retreated, got a piece of lead pipe and returned to the attack, chasing Cheney for three blocks until he dived under the truck.

Two of the three men with Cheney were arrested later and charged with assault. They said they were Melvin Prince, 25, of 11 New Bowery, and Robert Moten, 18, of 608 Eighth Avenue. Gallagher was held also, on suspicion of homicide.

## YOUTH FREED TO JOIN CCC

Was Found Guilty  
Of Assaulting  
Policeman

Wendell Best, 16, of 144-27 South street, Jamaica, was found guilty in Flushing Court of Friday of interfering with an officer, Patrolman Oliver Williams, of 171-07 104th avenue, Jamaica, while he was arresting three other youths. At the time, the officer was in civilian clothes. Best was freed with a suspended sentence on condition that he join the Civilian Conservation Corps as soon as an opening is available.

Magistrate Jenkin R. Hockert, who found the youth guilty, instructed probation officers to do all they could to expedite the youth's assignment to the CCC. Young Best told the court he had been trying for months to get into the corps.



## CONDITIONS BREED "BIGGER THOMASES"; BRING TERROR AND VIOLENCE TO COMMUNITY



"Bigger Thomas," the character made famous in Richard Wright's "Native Son," becomes real in the photo (above). Only the scene is different. Instead of Chicago's Southside, the notorious "Bigger" is challenging Harlem. Larry Grymes' excellent camera shot was made in front of 127 W. 134th St., soon after a switchblade-brawl last Friday. Franklyn Bowie, 23, 100 W. 134th St., is sprawled across the sidewalk with a deep knife wound in his back. His brother, John, looks on in wild-eyed amazement,

unable to help. And every time Bowie breathed, blood gushed from his wound. Seated on the curb is Rufus Riley, 32, 204 W. 133rd St., who is charged with stabbing Bowie after the latter "teased" him about his wife. Bowie is recovering in a Bellevue Hospital prison ward. Riley and another man, Samuel Hopkins, 29, 118 W. 132nd St., are in jail. Over-crowded and dilapidated tenements, unemployment and other forms of economic discrimination, play a major part in breeding such conditions.

## 300 NEGRO ARRESTS SINCE JANUARY 1st

*Amateur News New York, N.Y.*  
HEMPSTEAD, L. I.—The Police Department announced this week that 302 Negroes have been arrested since the first of the year. Although a very small percentage of these were serious, it constitutes a gain over previous years. Most of the crimes committed by Negroes in this town, it was said, were those of a disorderly conduct nature. Fighting over women seems to lead all other charges.

## 'Rent Party' Robber Beaten By Harlem Mob OCT 20 1940

NEW YORK, Oct. 17—(ANP)—A 20 year old youth who was beaten by a small mob of men following the holdup of a "rent party" at 122nd and Seventh avenue, this week, was saved from death by the timely arrival of police. He was later found to be the leader of a gang of young robbers who had been preying on Harlemites for the past 2 months.

Edward Cooper was spotted by the rent party guests on Seventh avenue and they knocked him to the ground, pummeled him, and were kicking him when a motorcycle patrolman broke through the crowd with a drawn gun and rescued him.

Taken to the station house where he was questioned by police, his story resulted in the arrest of William Staley, 20, William Haynes, 29, and Theodore Watkins, 20. Police claim they made a specialty of robbing small establishments and homes.

Their arrest solved at least 15 Harlem robberies, said police. A total of more than \$15,000 loot was obtained by the boys.



# Orphaned When Policeman Mistook Their Father For A Thief



The children seen in this photo were left without a father last Saturday when Patrolman Louis Christensen, of the W. 135th street station, fired four bullets into the back of Adolphus Brice, a native of Columbia, S. C., as the latter ran into a hallway leading to his home at 2558 Eighth Avenue, L. to R., Gussie Mae, 3, with her grandmother, Mrs. Gusie Brice; Helen, 1, with her mother, Mrs. Nellie Brice; Bobby, 4, in front of his grandfather, Willie Brice; Phillip, 6; and Peter, 10.

## Early Admits 'Giving the Knee' to Policeman Who Tried to Bar Him From President's Train

OCT 30 1940

With the admission by Stephen Early, secretary to President Roosevelt, in Washington yesterday that he "gave the knee" to a New York City policeman who shoved him around in the Pennsylvania Station late Monday night, Police Commissioner Valentine announced here that an investigation of the incident was in progress.

Meanwhile the injured policeman, Patrolman James Sloane, 42 years old, a Negro, was on sick report at his home, at 225 West 110th Street. Sloane, who underwent an operation for a hernia last July, told reporters that he "felt terrible," but he declined to discuss the case on the grounds that he had had strict orders from his superior officers not to talk about it to reporters. Commissioner Valentine, when informed of this statement by Sloane, said he did not believe any superior officer had given Sloane such an order, but he added that long-standing police regulations forbade any member of the Police Department from granting a newspaper interview without written permission from the Police Commissioner.

Records at Police Headquarters disclosed that Sloane was commended for his bravery in breaking up a hold-up on Nov. 16, 1939, when he shot and captured two men who were attempting a hold-up.

In Washington Mr. Early, according to The Associated Press, denied that he had kicked the policeman, acknowledged that he "gave him the knee" in a dispute which arose when a police sergeant attempted to block Mr. Early from descending a stairway to the President's special train. Mr. Early said that two policemen started moving him around and that he pushed back. When a third, a Negro, joined the others his knee came against the man's body, he said.

John W. Hanes, formerly Under-Secretary of the Treasury in the Roosevelt Administration and a trustee of Hampton Institute, Virginia, issued a statement yesterday through the National Committee of Democrats for Willkie, of which he is an executive member, saying:

"If the report of the alleged assault by Mr. Stephen Early, press secretary to President Roosevelt, on a Negro patrolman in New York City during the President's visit yesterday is correct, it is an act which shocks every decent American, regardless of race, creed or color."

## Woman and Bellhop Accused in Theft

When Ely Jelliffe, the 41-year-old son of a famous psychiatrist, awakened early this morning in the Hotel Remington, the 34-year-old woman who had wandered into his room had wandered out with his \$300 wristwatch and \$3 in hand cash, he told W. 64th St. police station police today.

Mr. Jelliffe, insurance broker, whose father, Dr. Smith Ely Jelliffe, is reputed to have saved Harry Thaw from the electric chair after the killing of Stanford White, had the woman, Jacqueline Lewis, of 127 W. 47th St., haled into court for grand larceny. Another brought to the bar was Marcus Gordon, 17-year-old Negro bellhop, who escorted Mr. Jelliffe to his room at 2 a. m.

Magistrate Anthony F. Burke, in Felony Court, adjourned the case until Dec. 11, holding the defendants in \$500 bail.



Hickory, N. C. Record  
July 12, 1940

### HICKORY NEGRO MUST DIE

In commending Superior Court Judge Donald Phillips and the Catawba county jury for having invoked the death sentence in the case of a Hickory negro convicted of the brutal murder of his wife, The Record trusts that the local public will take the time to understand our reason.

Most readers know that this newspaper does not favor capital punishment, but we hope we have made our position clear in reiterating many times that so long as that extreme penalty is exacted under the laws of North Carolina there should be no inclination on the part of courts to evade it in cases where defendants are clearly guilty of capital crimes.

We have an extremely bad situation developing among the negroes of Hickory, and all citizens who know what has been happening must realize that drastic remedies are necessary. There have been many killings in recent years—several within the space of a few months. When we consider that the colored man who has just been sentenced to die in September is the first to be given the death sentence in more than two decades, it is obvious that a person about to commit murder in Catawba county within the present generation, has had no reason to fear that in so doing he might forfeit his own life. The certainty of punishment as prescribed by law is a great deterrent in reducing crimes, experience elsewhere has taught.

The large number of violent crimes which were revealed in all their repulsiveness at the term of court just closing, should cause every good citizen to pause and consider.

While The Record is firmly convinced that more drastic punishment of criminals in this county is desirable, we are also persuaded that the public is responsible in large measure for the local trend towards lawlessness.

Persons who know of conditions that need remedying are failing in their duty if they do not make sure the information is placed in the hands of the proper authorities. The permanent Catawba county grand jury offers an efficient means of insuring thorough investigation in cases where it is believed law-enforcement officials are negligent in their duties.

Let us all consider seriously the social situation which is the basic cause of most

crime, and do what we can individually to improve surroundings that contribute towards human delinquency.

### WHITE MAN HELD FOR INTENTIONAL RUN-DOWN OF NEGRO

(CLINTON, N. C. (ANP))—William Turner, white, was arrested here last week on charges of deliberately running his car over a Negro, William Smith. The two had an argument according to witnesses, and Turner allegedly followed Smith with his automobile, ran over him and broke his leg.

## PLANTER ROBBED TENANT

Effort of Member of Prominent White Family to  
Shift Blame, Says.

DUNN, N. C., Nov. 21.—An indictment was returned here Wednesday by the Harnett county grand jury against A. B. Godwin, Jr., white plantation operator and member of a prominent family, charging him with house-breaking, larceny and receiving stolen property. He is accused of breaking into and robbing the home of one of his tenants.

Officers searching for the property taken from the house, found several of the more valuable articles in the home of a colored sharecropper and were amazed when he told them he had bought the articles from Godwin. They were inclined to doubt the story until subsequent investigation resulted in the obtaining of evidence culminating in Godwin's arrest.

The planter sought to shift the blame and responsibility for the robbery to John McLaurin, laborer employed by him, but all those in whose possession the bulk of the stolen goods was found, insisted Godwin had sold it to them. Immediately after it became known that Godwin had made a statement

seeking to implicate the laborer, McLaurin disappeared and officers have been unable to locate him.

## Vagrant Suspect Shot During Run, Second Escapes

NOV. 27, 1940  
While attempting to escape arrest at 1:25 a. m. Tuesday when he and an unidentified companion were discovered in the St. Peter street arcade of the Municipal Auditorium, Harry Walker, 22-year-old Negro, 2019 St. Philip street, was shot in the right foot and wounded slightly by Detective Vladimir Slichko.

After being treated at Charity hospital Walker was taken to the Fourth Precinct station and booked on a charge of vagrancy.

Detectives Slichko and Steve Dominguez were cruising in a police car when they saw the two men in the arcade. As they stopped to question the men, Walker, according to police, started to run and Detective Slichko fired three shots, one taking effect. The second man escaped.

Hickory, N. C. Record  
December 4, 1940

## DISTURBANCES IN NEGRO AREA STIR PROTEST

### White Citizens Complain To City About Nuisance

Hickory city authorities today considered stern measures to correct obnoxious conditions in the negro business block on South Twelfth street after receiving a vigorous complaint from eighteen white citizens living at the end of the street beyond the negro section.

Headed by former Alderman Luther Moss as spokesman, the white residents appeared in a

delegation at the weekly meeting of the city council Tuesday night.

A situation amounting to a public nuisance arises several nights every week, they declared, from traffic congestion, sidewalk crowding, offensive language and general carousing by negroes gathering around certain business establishments.

Asking protection for white people going to and from their homes along Twelfth street, the delegation referred to an attack on a white girl by an unidentified negro Monday night between Third and Fourth avenues as a manifestation of the seriousness of conditions centering in the colored business area a few blocks away.

Police Chief E. W. Lentz, present at the council meeting, explained the difficulty of maintaining a constant patrol of the area with the number of officers he has available, especially on Saturday nights when other parts of the city also are crowded with people. He indicated, however, that all possible steps would be taken to afford relief to the complaining citizens in accordance with whatever plans the aldermen adopt.

Although specific action was not decided upon at the meeting, the city council promised the protesting residents "full cooperation" in putting a stop to the nuisance.

Members of the delegation in addition to Mr. Moss were: E. M. Whisnant, D. L. Laffone, E. L. Broyles, J. B. Wentz, Ralph Kendall, R. W. Keener, H. L. Deitz, E. L. Newton, G. B. Shell, C. D. Day, C. P. Travis, H. B. Suttlemyre, C. S. Kiser, W. M. Correll, C. S. Whitener, W. A. Phifer and Ross Jordan.

Only other business coming formally before the council was a statement of the city's budget condition for the period from July 1 through November 30, submitted by City Manager Ralph Smyre.

In the general fund, receipts for the five months were shown as totalling \$137,181.88 while disbursements were \$100,029.56. For the entire fiscal year, the budget shows estimated total expenditures as \$241,585.21.

Largest revenue item was tax collections, amounting to \$71,894.20 for the five-month period, while water and sewer receipts, ranking next, totalled \$35,569.44.

Largest expenditure was in the street and sidewalks department which disbursed \$31,647.75. In the same period the water department spent \$19,607.76, the police department \$17,907.95 and the administrative, \$16,497.80.

In the debt service fund, receipts from July 1 through November 30 totalled \$87,094.18 while disbursements were \$52,937.72. For the entire fiscal year, the budget sets up estimated disbursements of

\$185,364.85 on bonded indebtedness. Tax collections allotted to this fund totalled \$36,197.05 for the five-month period and payments on street assessments brought in \$7,332.37.

Bonds retired since the start of the fiscal year total \$22,500, the statement showed, while payments on interest total \$28,612.50.



# *Courier* *Pittsburgh Pa.* Trial Judge Thought Jury's Verdict Too Stiff; Man Won't Die

DEC 28 1940

RALEIGH, N. C., Dec. 26—Commutation to life imprisonment of the death sentence of Charlie Pugh, convicted of criminal assault last October, and who had an appeal pending before the North Carolina Supreme Court, was ordered Tuesday by Governor Hoey

who said in announcing his action that it had been recommended by the trial judge, the sheriff and two deputy sheriffs in Columbus county where Pugh was tried.

The governor stated that "under all the circumstances I believe this is a case where it is proper to show mercy. Conceding that the prisoner may be guilty, there are, in my opinion, enough extenuating circumstances to make it inadvisable to exact the death penalty."

The chief executive said he had been advised by the trial judge that he felt the jury should have returned a verdict of guilty of an offense of a lesser degree, and that under all the evidence and the instructions given by him, might easily have done so.



Columbia R. C. Press  
September 26, 1940

Wilmington N. C. News  
October 11, 1940

Greensboro, N. C., Record  
November 22, 1940

## College Editor Denied Parole

Raleigh, N. C., Sept. 25—(AP)—Mack Hobson of Dunn, University of North Carolina student who wounded two Negroes in a Dunn department store several months ago, was denied a parole today by Governor Hoey.

Hoey's decision was announced by Edwin Gill, paroles commissioner, who said his office had made "an exhaustive investigation into the mental and physical condition of the prisoner and into the possible effect of his imprisonment."

Hobson entered the Lillington jail about three weeks ago and started serving a four-month term, imposed after he accidentally wounded the Negroes while brandishing a gun at his girl friend, who was employed in the department store.

In denying the petition for parole, Gill said:

"I am satisfied that Hobson is receiving humane treatment in the Lillington jail and that those in authority are doing what they can to prevent the period of imprisonment from seriously affecting the prisoner's health."

"I am advised that the prisoner is allowed the freedom of the prison yard where he can obtain the benefit of fresh air and sunshine for a few hours each day. This is necessary in view of the prisoner's state of health."

"Taking into consideration all factors, we are of the opinion that the ends of justice will be better met, and the welfare of the prisoner best promoted by allowing Hobson to serve in full Judge Leo Carr's very reasonable sentence."

## NEGROES LASHED IN COURT HERE

### Recorder Gives Pair Option Of Farm Terms Or Bare- Back Whippings

Lashes fell across bare backs in recorder's court here again today.

Two negroes, convicted yesterday of trespassing, were given an option between paying a fine and costs, with a farm sentence in default, or taking a lashing and having three weeks to pay the costs.

They took the lashing.

They were Ed Smith, who yesterday was fined \$25 and the costs of court and ordered to serve 30 days on the county farm in default, and Johnnie Crandall, who yesterday was sentenced to pay a fine of \$25 and the costs or serve a farm term.

In court this morning Smith was given an option of 20 lashes across the bare back and Crandall was given an option of 10 lashes. Each accepted the lashes, which were administered by their respective mothers in open court.

Three of five negroes arrested yesterday on charges of perjury were bound to superior court under bonds of \$200 and the other two were dismissed for want of probable cause. Those held were Eva Freeman, 920 North Fifth street, Lonnie Williams, of the same address, and Alice Williams, 507 Bellamy alley. Dismissed were Phyllis Clardy, 1010 Hutaff alley, and Louise Dennis, address not given.

Blanche Brown, 806 Queen street, charged with violating the liquor law, was sentenced to 20 days on the county farm.

James Scott, 810 South Ninth, held on a similar charge, was found guilty but judgment was left open until tomorrow.

## Two Men Are Convicted On Distillery Charges

### Presence of Materials Regarded As Evidence Acceptable to Court; Other Cases Tried

The defense contested the prosecution's contention that three large timbers exhibited as evidence were parts of a still, but R. L. Toomes, elderly white man, and Buford C. Littleton, a younger Guilford county man, were convicted in municipal-county court Friday of possessing whisky distillery materials.

Judge E. Earle Rives imposed a six-months sentence on each defendant, but judgment was suspended upon payment of \$50 fine and costs by each and condition that neither violates the prohibition law within three years.

Two Alamance county men drew suspended sentences after one had been convicted of drunken driving and the other had been found guilty of aiding and abetting in operating an automobile while intoxicated.

R. H. Gurkins, of Graham, received six months for drunken driving, judgment suspended on payment of \$100 fine and costs and revocation of license for 12 months. Similar judgment was entered as to William Foust, Burlington, route 5, convicted of aiding and abetting.

Another drunken driving case had Fred P. Lilly as defendant and a six-months road sentence as to him was also suspended on payment of \$100 fine and costs and revocation of license for 12 months.

William Green was sentenced to 30 days for an affray with a deadly weapon, judgment suspended without payment of the costs and on condition of good behavior. His stepson, Andrew Byrd, was acquitted in the case which grew out of a domestic difficulty. The shotgun in the case was ordered destroyed. The charge of careless and reckless driving against Charles R. Bruce and Mrs. J. R. Morris was dismissed.

Jack Brooks, convicted of an assault on a female with a deadly weapon, was sentenced to 12 months at the courthouse, and John Saunders drew 30 days for failing to comply with a court order.

G. R. Sheek was taxed the costs for an assault on a female, while Burke Herndon was ordered to pay half the costs for disregarding a traffic control signal.

The charge of abandonment and non-support against Thomas Burnett was not pressed.



# Set Bond For Principal In School Fire

TYRON, N. C.—(ANP)—A preliminary hearing Monday, on charges of arson in connection with the burning of Tryon high school, ended in the release of Prof. Leroy R. Wells, principal on \$5,000 bail pending grand jury action.

Wells was taken into custody last week with three other persons, Hattie Smith, Arthur Suber and Cleveland Rice, all suspected of complicity in the burning of the building.

Wells' arrest followed a statement to authorities by Suber that Wells had given him the money to hire Rice to burn the building, wooden structure, so that "a new brick building" might be erected.

Tryon, N. C. Daily Bulletin  
June 21, 1940

## WELLS RELEASED UNDER BOND OF \$5,000.00

Prof. Leroy R. Wells, principal of the burned Tryon Negro school, was released under \$5,000 bond following a preliminary hearing before Magistrate Pearson this morning at Columbus. He was charged with arson in connection with the burning of the school building on June 6th.

Wells, who was arrested Thursday was represented at the hearing by Attorney Shipman of Hendersonville. Solicitor Ridings of Forest City was prosecuting attorney.

Wells is the fourth colored person to be involved in the alleged burning of the school building. The other three, Hattie Smith, Arthur Suber, of Tryon and Cleveland Rice of Spartanburg are in the Polk County jail in default of \$5,000 bonds set at previous hearings. A statement by Suber, to the sheriff late Thursday afternoon, alleged that Wells furnished money with which Suber hired Rice to burn the building, "So that they could have a nice brick building like other schools." Wells has made no statement concerning the charges, according to Sheriff Hines.

Cherryville, N. C., Eagle  
July 18, 1940

## He Is The Man

(Charlotte News)

Solicitor Carpenter's "impassioned" plea to the jury for more convictions of Negroes for first degree murder somehow leaves us a little uneasy.

We have long believed and urged that so long as Negroes were practically never convicted for first degree murder, though the evidence showed overwhelming guilt, the Negro murder rate in this city was going to stay bad.

But there is always the danger that it might end in an indiscriminate witch-hunt. The thing which always has to be borne in mind is that the Negro must first be proved to be guilty beyond a reasonable doubt. And juries should consider the question of the effect on the public of the punishment handed him only after the evidence has been examined purely with regard to itself. What is wanted is more convictions for first degree murder. The last thing wanted is the conviction for first degree murder of Negroes who may be guilty of nothing but manslaughter or self-defense, simply by way of trying to throw terror into the tough Negro population.

The solicitor is the very official who ought to hammer that home, and especially in the case of Negroes, who usually cannot afford high-priced defense counsel. But it seems to us that Solicitor Carpenter failed to make the distinction clear.

Ultimately, crime among Negroes, as among white people, will be controlled best, not by flurries of harshness or penalties which do not fit the crime, but by the establishment of the knowledge that any man who commits a crime is certain to get the punishment which belongs to just that crime in short order. And for the fact that there is no such knowledge in the Negroes and whites of Charlotte, we believe nobody is more responsible than Solicitor Carpenter.

Kinston, N. C. Free Press  
September 21, 1940

In a news story in The Free Press Friday it was stated that the game protector who shot a Negro alleged violator of the game laws in the back, was justified, in the opinion of a state investigator. Notwithstanding that conclusion of the SBI representative we contend that no law of heaven or earth ever justifies shooting a man in the back.

# Preferred Flogging To Prison

OCT 12 1940

WILMINGTON, N. C., Oct. 10—(ANP)—Richard Jenkins, 16-year-old orphan who preferred a whipping to going to the county farm or roads following conviction on a charge of assault with a deadly weapon, was whipped here Thursday afternoon under supervision of Judge Alton A. Lennon. A longshoreman selected by the court gave the youth 10 lashes across the back with a heavy belt.

Jenkins told the court he intervened when a younger and smaller relative was fighting with another boy. When the other boy "stuck me with a stick," Jenkins said he drew a knife and cut the lad.

A seventh grade student, Jenkins said he had been abandoned by his father and his mother was dead. He lives with an invalid grandmother who lets him do as he pleases. He said he didn't want to miss school by going to prison and asked for a whipping instead.

Calling a husky longshoreman from the audience, Judge Lennon asked if he was willing to "help" the lad and said, "I am asking you because he is of your race. I will not have a white man whip him, as I feel it should be a member of your own race who inflicts the punishment."

After Jenkins told the longshoreman that he could "take it," the latter left and returned at a time set by the court to administer the whipping.



# JUDGE ATTACKS 'PIMP' SYSTEM OF POLICING

CHARLOTTE, N. C., Feb. 1—(By ANP) — Discussing the "Negro Problem," at the Charlotte Rotary Club last week, Judge Frank Sims of the Recorder's Court stated that he believed 95 per cent of the police activity done in Charlotte was done by agreement between officers and their Negro stool pigeons.

"Serving as a stool pigeon for officers is the only protection the Negro has," he said. Pimps, he continued, are the persons who act in this capacity. Liquor, money seized through the grapevine set-up, is divided three ways: one-third for the pimp, one-third for the officer and one-third for evidence in court.

As a remedy for this vicious system, Judge Sims suggested consolidation of the city and county recorder courts and consolidation of the city police, county police, sheriff's office and the State Highway patrol.

Columbia N C State  
February 16, 1940

## NC Executes 2 Negroes Today

Raleigh, N. C., Feb. 15—(AP)—Two High Point Negroes convicted of the double capital crimes of first degree burglary and murder read their Bibles on death row at Central prison tonight, as the state completed plans for their asphyxiation tomorrow.

The Rev. L. A. Watts, director of religious training for the penal division, said both men asserted they were innocent of the crimes, which were committed in Hoke county last year.

The Negroes are Nathaniel Bryant, 18, and William Young, 23.

The Rev. Mr. Watts said that Young admitted, however, that he strangled a death row guard last December. He quoted Young as saying: "I didn't mean to kill him, but I choked him too hard."

"Bryant says he doesn't even know where Hoke county is," said the clergyman. "Both say they were in High Point at the time of the murder-burglary in Hoke county."

"Young says he was with his girl at a house where she worked for white people in High Point. Bryant says he

was at a movie in High Point." The Negroes "affirm their faith in Jesus Christ," the Rev. Mr. Watts said. They spent most of today reading their Bibles, he added, and "don't seem to be afraid or nervous... they are ready to go."

Charlotte N C Observer  
April 2, 1940

### CRIME AMONG OUR NEGROES.

To remark upon the ghastly number of murders committed by the Negroes of Charlotte would only be to repeat a widely known fact.

The proportion of this crime in this community being perpetrated by members of this race has long been appalling. And it seems definitely to be on the increase. A murder is now almost a daily occurrence among Charlotte Negroes.

It's one thing to stand off and comment in despair about a situation of this sort and quite another thing to consider what can and ought to be done about it.

And nobody seems to be particularly concerned about doing something about and with this problem, or trying to, at any rate.

One might think of various suggestions which would be practical and helpful, but hardly curative.

There is, for example, the possibility that better lighting in the sections densely inhabited by Negroes might in some measure be conducive to a more intelligent control of this problem.

There are people who say that better housing would help, and it might.

Still others would probably advance the idea that Negro policemen would avail in keeping down crime among their own people.

All of these ideas and others that may occur as being pertinent apply to a condition that has already developed and has little bearing upon the possible preventive phases of the case.

In the judgement of The Observer it is within the latter area that the most constructive effort can be made, in reaching into the conditions that contribute to the development of a criminal population.

Naturally, therefore, such prevent-confront us as a challenge and a resolute experiments would reach, first of responsibility resting upon our citizenship. all, the Negro youth of the community. We can never arrest and handcuff and

We may as well grant with a shrug sentence to the roads the volume of and a lament that little can be done murder, for example, now being committed toward the reformation of the criminal matter by the Negroes of Charlotte, no who has already developed into adult-matter how many policemen we may hire or how large the jails we may hood.

When the criminal instinct has matured in any human being, the problem then becomes mainly one of arrest and toward the reduction of crime in this imprisonment, but if that same criminal area by an intelligent, selfish expenditure of such community funds as would instinct can be defeated when it is begun to germinate, the individual end to create improved opportunities can often be saved from the career of play, for recreation, for decent livelawlessness to which one is set where and for law-abiding careers for the such tendencies remain uncontrolled. young Negro boys and girls of Charlotte

What is Charlotte doing in the way of extending such social service and alone, in their unfriendly environs and human welfare influence toward the evil tendencies, to go to hell with a 10,000 negroes in this community, whoop.

large a part of which population is composed of juveniles and adolescents—classes susceptible of being influenced toward the lawful life by the spread of the proper institutional agencies.

We spend more than \$100,000 annually in Charlotte in social service work of various sorts through the Community Chest.

How much of that amount is directed toward improving the social situation of the Negro population, toward bettering the conditions in the domestic circles where the boys and girls of this race are being reared, toward giving these people access to institutions and facilities and guidance programs designed to encourage to good that is latent within them and discouraging the bad form coming to fruit?

Not a penny!

And this means that while we admit, as a people a community responsibility to the disadvantaged and handicapped whites, both young and old, we ignore the same obligation which rests upon the community to extend the same sort of helpfulness to this racial minority in our midst.

This newspaper doesn't entertain the idea for a moment that we can continue to be in default in those fields and at the same time intelligently expect the criminal records of the Negro race to show much improvement in the future.

So long as no sort of preventive service is offered just so long will exist the problem of increasing crime to

# ALLEGED TO HAVE BOASTED OF CRIME

Night Services Interfered with His Sleep; So He Burned Building to Ground.

3-16-40  
HENDERSON, N. C., Mar. 4.—Though entering a vigorous denial to the accusation that he deliberately set fire to and burned to the ground last night, a Methodist church located near his home on the State highway connecting this city and Oxford, H. M. Capps, white farmer, will have to stand trial on an indictment charging him with the crime.

Officers who placed the accused under arrest claim they were told that Capps, who is said to have objected to the presence of the church near his home because the holding of periodic night services here interfered with his sleeping arrangements, boasted that he had made a "jam-up" job of setting fire to the structure and burning it. The boast was made, they said, by J. H. Williams, who operates a mail store and filling station in the community.



# BURNER OF NEGRO CHURCH FOUND GUILTY

## JURY CONVICTS WHITE FARMER IN NORTH CAROLINA

Gastonia N. C. Gazette  
April 10, 1940

HENDERSON, N. C., March 21.—H. M. Capps, Vance county white farmer, was found guilty of arson here yesterday on a charge of willfully burning Mount Methodist church, located between Oxford and Henderson. The church was burned last July and was a total loss.

Trial of Capps lasted nearly two days of the Vance county Superior court term, and it took the jury several hours before it could reach a verdict.

Judge Leo Carr, presiding over the session, had not passed sentence Thursday noon, according to information received from the Clerk of Court's office.

Capps denied any knowledge of the burning of the church when placed on the stand. He testified, however, that he had been drinking and that he did not remember telling anyone he had burned the church.

J. H. Wilson, operator of a filling station near Capps' home, was star witness for the State. Mr. Wilson testified that Capps came to his filling station and purchased gas in a two-gallon can. He stated that Capps told him he wanted it for a motor to a saw.

In a short while after Capps had left the station the fire was discovered. In a very short while Capps returned to the filling station and during discussing the fire, stated that "I made a good job of it." The State offered evidence that Capps was resentful of the singing and shouting that often resulted from worship going on at the church, and as a result, decided to set fire to the church to rid himself of the noise.

Members of the burned church have improvised a place of worship by erecting a roof on some posts and placing some benches under it. When weather has permitted, services have been going on as usual in the open air.

## CRIME AMONG OUR NEGROES

(The Charlotte Observer)

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In the judgment of The Observer it is within the latter area that the most constructive effort can be made, in reaching into the conditions that contribute to the development of a criminal population.

Naturally, therefore, such preventive experiments would reach, first of all, the Negro youth of the community.

We may as well grant with a shrug and a lament that little can be done toward the reformation of the criminal who has already developed into adulthood.

When the criminal instinct has matured in any human being, the problem then becomes mainly one of arrest and imprisonment, but if that same criminal instinct can be defeated when it is beginning to germinate, the individual can often be saved from the career of lawlessness to which one is set when such tendencies remain uncontrolled.

What is Charlotte doing in the way of extending such social service and human welfare influence toward the 30,000 Negroes in this community, so large a part of which population is composed of juveniles and adolescents,—classes susceptible of being influenced toward the lawful life by the spread of the proper institutional agencies.

We spend more than \$100,000 annually in Charlotte in social service work of various sorts through the Community Chest.

How much of that amount is directed toward improving the social situations of the Negro population toward bettering the conditions in the domestic circle where the boys and girls of this race are being reared toward giving these people access to institutions and facilities and guidance programs designed to encourage to good that is latent within them and discouraging the bad from coming to fruit?

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And this means that while we admit, as a people, a community responsibility to the disadvantaged and handicapped whites, both young and old, we ignore the same obligation which rests upon the community to extend the same sort of helpfulness to this racial minority in our midst.

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So long as no sort of preventive service is offered just so long will exist the problem of increasing crime to confront us as a challenge and a responsibility resting upon our citizenship.

We can never arrest and handcuff and sentence to the roads the volume of murder, for example, now being committed by the Negroes of Charlotte, no matter how many policemen we may hire or how large the jails we may erect.

But a vast service can be performed toward the reduction of crime in this area by an intelligent, selfless expenditure of such community funds as would tend to create improved opportunities for play, recreation, for decent living and for law-abiding careers for the young Negro boys and girls of Charlotte instead of merely leaving them alone, in their unfriendly environs and evil tendencies, to go to hell with a whom.

Raleigh, N. C., News & Observer  
July 2, 1940

## SHOES FOR 10,000 NEGROES.

The Dunn Dispatch.

A Negro was caught in the act of roosting on top of a chicken coop at night as he tried to enter a local store through a transom over the door. He was charged with attempting to rob the establishment, and sentenced to a year on the roads.

At the same session of Recorder's Court here another Negro was sentenced to six months on the roads for stealing a pair of shoes.

Without slopping over with sentiment and having a good cry over the possibility that perhaps one of the two defendants was hungry and the other needed a pair of shoes, let's assume they were just two "mean" Negroes.

All right! They were "mean niggers," and got just what they deserved for breaking the laws of the land and going contrary to society. Yet, the first Negro was caught attempting a robbery, and the second got only one pair of shoes.

A public official came up short in his account of funds enough to buy shoes for 10,000 Negroes and feed an average Negro family for five years. What happens? He's bonded, the bonding company pays off for him, and "justice" smiles at the fact that it was a crime against the State.

Columbia, S. C. State  
August 10, 1940

## Reckless Driving Charged to Negro NC Law Student

Durham, N. C., Aug. 9—(AP)—James Carter, Negro law student from Winston-Salem, is under \$300 bond here for appearance in recorder's court next Wednesday on charges of reckless driving and damage to property. Carter was taken into custody about 3 o'clock this morning shortly after his automobile hurtled from Highway No. 54 and crashed into the home of Mr. and Mrs. Paul Edwards, blind couple of Lowes Grove near here.

Asleep in the house were the couple and two young girls of the neighborhood who had come to spend the night. The first warning of the disaster was the terrific impact of the car which knocked the house over six feet from its foundations and wrecked furniture, walls and floors in every room. The vehicle passed within three feet of the bed in which Molly Dixon, 10, and Clara Fletcher, 16, were sleeping. A bump on Molly's head was the only injury suffered by any of the occupants of the house.

## Guardsman Hurt Battling Negroes

By the Associated Press  
ELIZABETH CITY, N. C., Sept. 10.—A Coast Guardsman was injured early today as state highway patrolmen and Coast Guardsmen dispersed a band of Negroes who attacked police and firemen with rocks and bottles near a theater here.

Acting Sergt. E. E. Pritchard said two Negroes were arrested in connection with an assault on F. R. Reggio, attached to the Coast Guard air base here and one of 25 to 30 Guardsmen on duty following the disorders.

City officials said an estimated 1500 Negroes took part in the disturbance, protesting against replacement of the theater's Negro manager by a white man.



## ( REPUBLISHED BY REQUEST )

*Union 2-22-40*  
 Crime among colored people here, has assumed a magnitude almost beyond belief, when we take into consideration the vast amount of religion they claim to have, the great number of opportunities they enjoy, to which their fore-parents were strangers. *Cincinnati, Ohio.*

Churches! Churches! Everywhere! Preachers are "as thick as autumnal leaves in Vallombroso"!

Petty stealing, "hold ups," "bootlegging" or murder are of daily occurrence. Boisterous conduct and many acts of impoliteness are always in evidence. Is it any wonder that our white citizens look upon us with pity, contempt or hatred? Every Negro who steps in the street, carries with him the honor of his race. The misconduct of one affects us all. Most of our defects arise from ignorance.

What are our Preachers, Professionals and Collegians doing to remedy these conditions, that are daily bearing the race. *Hellward?* *Dabney.*

## SEVEN BURN *Defender* TO DEATH IN *8-27-40* REVENGE FIRE

Angry Woman Neighbor  
*Chicago*  
 Knocks Kerosene  
 Lamp From Table

victim, Mrs. Pinkie Brown, a roomer, might have survived had it not been for her heroism. She lost her life in a vain effort to rescue the youngest of the Thompson children, Ruth, 2.

Three other persons who normally lived in the four-room hovel were not at home and as a result are the only survivors outside of Miss Dawson.

The tragedy was strangely reminiscent of a very similar fire in Chicago last year when a disgruntled janitor set fire to a Michigan avenue tenement and caused the deaths of nine persons. He was later tried and sentenced to 199 years in prison.

Bitterness of Miss Dawson grew out of the arrest of her mother, Mrs. Anna Dawson, in the Thompson home following a quarrel.

COLUMBUS, Ohio. — Carrie Dawson was angry at the Thompson family last week and got even Sunday when she swept a kerosene lamp from a table and set the squalid in a fit of anger knocked the lamp four-room East Cherry street shack to the floor after threatening to on fire.

The fire ravaged the little wooden structure in such a short time that none of its seven inhabitants except Miss Dawson escaped.

Victims were Edward Thompson, 43; his wife, Ada, 35; and their four children whose ages range from two to seven years. The seventh

"set fire to the damn place."

Taken into custody, Miss Dawson denied purposely setting fire to the house. "If I knocked the lamp over," she is reported to have said, "I did so accidentally."



## The Negro Rooming House Porter

The National Association for the Advancement of Colored People, during its investigation of the slaying of Thomas Bradley, Negro rooming house porter, presented evidence last Saturday to County Attorney Lewis Morris showing that four Negro porters had been beaten by a policeman charged with soliciting in front of the door of the establishment where they work.

We have heard the charge made by several city officials that Negro porters do stand in the door way of these cheap bawdy houses and solicit customers. It is said that a campaign is on to break up such practices in Oklahoma City.

The Black Dispatch wants to go on record here and now saying we too think the practice should be broken up. We think that the lowest and most depraved form of humanity is found in the hide of the individual who makes his living from the body of a woman. A pimp, a procurer in our opinion every day bump the lowest hinges of hell.

But if city government is going to clean up prostitution in Oklahoma City why not give the situation a little scientific study. The most elementary type of reasoning should warrant the conclusion that Negro porters would not be standing down town in the door way of every cheap hotel, unless this arrangement is well known to the white proprietor of the place where he works. The Negro porter, who stands in the doorway and tells passers by about the glories to be found up stairs, is carrying out the terms of a contract which provide that he do this, and only this.

The white man or the white woman up stairs who entered into such an unholy contract with a Negro porter, also entered into an immoral contract with young white girls in this community, to be at the beck and call of the Negro porter when he calls his street customer up into the hotel. If city, county and federal government will get rid of the "white slave" traffickers on the second floor of our downtown structures, the Negro porter will like the Arab fold his tent and silently fade away. If this institution has to be attacked with clubs, why not start the clubbing up stairs on white craniums rather than attack the black reaction from a white cause.

City government ought recognize that the Negro porter down town in white rooming houses is but the helpless prey of proverty and prostitution. He is trying to make meat and bread just as are the white girls up stairs who are slaves of the same system. In the bible it is written, "The poor ye have with you always". It might also be said "The harlot ye have with you always." Those who ply woman's oldest profession and wear the veil of shame, will continue to offer themselves for sale if every one of the 20,000 Negroes in Oklahoma City are clubbed into insensibility. Isn't it a fine way to rid the city of white prostitutes and "white slavers" by the simple devise of clubbing, shooting and killing Negroes. Consistency thou art a jewel.

## "Drunk as Hell," But Still Drives

SEP 21 1940  
"Those people are drunk as hell. It's a wonder that all of you were not killed".

This is a statement made by a highway patrolman to five Negroes September 1st, near Claremore, following an automobile crash, when a car, driven by an intoxicated white man, at three o'clock in the morning, was responsible for the near-fatal accident.

Theodore James, one of the Negroes, who is employed at the Y. M. C. A., Oklahoma City, said the highway patrolman gave the white driver a test to determine his condition. The drunk man was driving on the wrong side of the road and when examined did not know left from right. His three companions were also in an intoxicated condition.

In spite of this criminal and outrageous condition in which the patrolman found a white driver, the drunks were not jailed, but allowed to register that night at a Claremore hotel. The next morning before James and his party, who remained in Claremore for court action, could reach the justice of the peace where the case was heard, the drunks were fined \$19.00 and costs.

The Negroes were not allowed to offer any testimony and have no information as to whether the court was advised that the accused whites WERE "DRUNK AS HELL" as openly accused by the patrolman at the time of the crash. According to James, the justice of the peace when asked what could be done regarding damages for the demolished car and the injuries sustained by his wife and others of his party, suggested the best thing to do was to get out of town because the folk he had fined were poor and had no money with which to pay damages.

Now the Black Dispatch is familiar with southern sanction which argues that white people are not to be held legally responsible when such incidents occur as described above. It is because of this sort of sentiment in the South that white insurance companies refuse to give Negroes liability insurance. We have had several white agents frankly state their companies know white juries will not find damage verdicts for Negroes as against white people.

In the judgement of the Black Dispatch this is dumb bell logic. Immediately there comes echoing back that compelling philosophy of Booker T. Washington:

"No man can keep another man down in the ditch without getting down in there with him".

The drunken white man who drives in the dark on the wrong side of the road knows nothing and cares less about race or color of those coming from opposite directions. Perhaps the next time this white man visits a road tavern with his connival companions he will get a little drunker and later drive a little faster. When he does it is not written that the innocent citizens coming from the opposite direction will be black. It could be that it would be a car driven by the very justice of the peace whose caloused chauvanism suggested that Negroes have no rights that white men are bound to respect.

Every evil has within itself the seeds of its own destruction. People may call it by other more polished names

but world chaos today results from the clash between race, caste and class. Hitler destroys civilization today dominate by the identical philosophy of the justice of the peace and the highway patrolman at Claremore who believe that might make right. In the language of the Bible "Upright men shall be astonished".



## Ex-Lincoln Athlete Gets Year In "Pen"

A former Lincoln University star athlete was sentenced to one year in the Eastern Penitentiary and a Temple University senior was sentenced to 30 days in the House of Correction by Judge Harry S. McDevitt in Common Pleas Court, Room 296, City Hall, Tuesday.

The former Lincoln University athlete is Walter "Bricktop" Wright, 30, of New York City, basketball and football star, and the Temple University student is Hugo Hyde, 27, 2205 South street.

Wright was charged with aggravated assault and battery, and Hyde with assault and battery on Morris Wolf, white, who operates a cigar store at 1843 South street.

Arthur Salus, white attorney for her, Mrs. Clara Cullatt, 27, mother of three small children, was found in the yard of her home at 2005 N. Seventeenth Street, Saturday, victim, police said, of an attack by her estranged husband, John, 30.

Wright and Hyde were arrested a few months ago, when Wright allegedly had a fight with Wolf in his store. They charged the white man with hitting Wright over the head with an iron pipe when they sought to purchase a package of cigarettes. Physicians at the Graduate Hospital, 19th and Lombard streets, sewed up the wound in Wright's head with three stitches.

Wolf, however, denied striking Wright with an iron pipe. He said that the athlete bit him on the hand.

Both Wright and Hyde are members of the same Greek letter fraternity, and are well known in Philadelphia and New York.

## Find Mother of 3 Dying in Yard

### Mrs. Clara Cullatt, 27, Fatally Stabbed by Estranged Husband

PHILADELPHIA — With her right arm almost severed from her body, blood from the ugly wound forming a steadily widening pool around her, Mrs. Clara Cullatt, 27, mother of three small children, was found in the yard of her home at 2005 N. Seventeenth Street, Saturday, victim, police said, of an attack by her estranged husband, John, 30.

Attracted to the scene by her agonized screams, Cornelius Rowe of 2009 N. Seventeenth Street summoned Dr. Earl Hawkins of 2008 N. Seventeenth Street who, after treating the young woman, had her rushed to the Women's Homeopathic Hospital, where she died four hours later from loss of blood.

### Tots Witness Tragedy

Eyewitness with his two little sisters to the tragedy that left them motherless, 6-year-old Alvin Cullatt, the eldest child, with trembling lips, told of what occurred to Detectives Firman Hopkins of the Third Division, who was passing in the neighborhood at the time, and John Joyner of the homicide squad.

Separated from his wife for a week, it was said, Cullatt, employed by a baking company at Twelfth and Ridge Avenue, walked into the house unexpectedly. He had been drinking, it was said, and a few minutes later became involved in an argument with his wife, presumably over reconciliation.

### Slain with Babe in Arms

Suddenly, as the frightened children whimpered beside their mother, Cullatt snatched up a knife. Screaming in horror, Mrs.

Cullatt picked up the baby, 14-month-old Jessie, and held her for protection. Cullatt slashed at her, notwithstanding, however, cutting the woman on the arm and all but severing the limb from her body.

Blood from the gash flowing profusely, Mrs. Cullatt fled to the bedroom, where she placed the baby on the bed, staggered to the yard and finally collapsed near the gate. The husband, in the meantime, escaped through the front door.

The three children, Alvin, Norma, 3, and Jessie, are now being cared for by their grandmother, Mrs. Leola Henderson, of 1924 N. Gratz Street, parent of the victim.

## Two Husbands Held As Wives Press Charges

### \$300 Peace Bond For Men Arrested For Threats To Kill

Two husbands were haled into court on the complaints of their irate wives, and held in \$300 bail to keep the peace by Magistrate Edward W. Henry at Central Station, City Hall, Tuesday morning.

The men, Samuel Solomon, of 914 north 6th street and William Rhodes, of 617 north May street, were arrested on Monday when their wives swore affidavits charging them with threats to kill.

Soloman's wife, Mrs. Irene Soloman,

testified that her husband caught her on the street last Sunday, and without provocation took her home and beat her about the face and body with his fists and threatened to kill her. She also said that they were on relief, had been married three years and had one child.

### Always Threatening

Rhodes' wife, Mrs. Emma Rhodes, said that her husband threatened to kill her last week, and prior to that had struck her on many different occasions.

"Judge," Mrs. Rhodes addressed Magistrate Henry, "he was always threatening me. He never takes me out. He goes all the time by himself. He takes the car and drives all over the city, and stays out until late at night."

Both Soloman and Rhodes denied the charges, however. Soloman said he had never threatened his wife, and Rhodes said that his wife "ran around in beer gardens."

## Phila Rally Daily Worker To Protest Jailing of

## Negroes

### DEC 14 1940 Negro Congress to Hold Meeting Condemning Mass Arrests

(Special to the Daily Worker)

PHILADELPHIA, Dec. 13. — A protest rally against the recent mass arrests of almost 600 Negro citizens here has been called for Thursday, Dec. 19, by the local council of the National Negro Congress.

The meeting, which is being supported by the Tenants League and the Workers Alliance, will be addressed by prominent Negro and white city leaders.

"This mass arrest of innocent citizens," declared the Negro Congress in urging wide attendance at the meeting, "is a most shameful violation of our Bill of Rights and the 13th, 14th and 15th Amendments to the Constitution."

The mass seizures occurred on Nov. 16 and 17 when police cruised through the Negro districts of the city and herded men and women to jail without warrants, claiming that they were searching for suspicious characters.

The statement called for an end to the conditions which breed criminality, citing the hazardous slum firetraps in which Negroes are forced to live.

Speakers at the meeting will be Dr. Harry J. Greene, state president of the National Association for the Advancement of Colored People; Miss Goldie Erwin, National Negro Congress; Harry A. Levitan, Philadelphia attorney; Edward Jenkins, Workers Alliance, and Bernard Childs, Tenants League.

The rally will be held at the YWCA, 1605 Catherine St., at 8 P. M.



## Crashes Into Home With Blazing Gun

A jealous, jilted suitor who went on the rampage with a blazing gun, last Friday night, killed his former common-law wife and her new sweetheart after crashing into the house of a friend at 1232 Lombard street.

The killer suspect is Charles Johnson, 36, of 1257 south 12th street, who fled after the double shooting and is a fugitive from justice.

His victims were Pearl Johnson, 31, of 1232 Lombard street, who was killed instantly, and Charles Baker, 32, of 1234 Rodman street, who died last Sunday in the Pennsylvania Hospital.

Detective Franchetti, who is making the Homicide Squad investigation, said that Johnson fired four bullets from the heavy calibre "death gun," all taking effect. Pearl Johnson was shot three times, two of the bullets entering her chest, and another pierced her heart. Baker was shot once in the chest.

According to facts gathered from Baker before he died, he and Miss Johnson were at the home of Mr. and Mrs. Walter West, when Johnson broke in and started shooting.

They were in the first floor front bedroom, and Miss Johnson was sitting on a chair in the corner. Johnson saw her first and shot her once in the chest, Baker said, according to police.

Screaming "He's shot me!" the woman fled across the room, but before she could get out the door Johnson allegedly dropped her in her track with two more shots.

In the meantime, Baker was trying to get out the window. Evidently nervous, he had trouble, giving Johnson a chance to finish with the woman and turn his attention to him.

Johnson saw him, and fired once. Baker let out a scream of agony and fell to the floor, wounded in his chest.

Glancing around, the killer turned and rushed out the door. He had committed his diabolic crime in less than two minutes because when police arrived on the scene he was nowhere in sight.

Police learning through investigation that Johnson and Miss Johnson had lived together as man and wife for two years, and she left him two weeks ago because he would not take a job offered him by relief authorities.

She met Baker the day after she left Johnson, and they became sweethearts.



1

## ADMONITION TO A GENTLEMAN

There is considerable indignation in Montgomery over the fact that within a period of less than two weeks policemen have shot to death one Negro man and that one other died under mysterious circumstances in a cell in the city jail. His head was crushed, by whom one does not know. Another was shot in the arm.

Both of the dead men, it appears, were highly esteemed and respected by numerous representative white families for whom they had long worked as trusted servants. In each instance the white friends of the victim have been so stirred that they felt something more than a perfunctory routine investigation of the facts should be made. 4-23-40

The death of Nep Rowland, the diminutive, ill-figured Negro who died in the cell of the city jail has brought this indignation to the boiling point. In consequence of it citizens are protesting to Colonel Screws, Commissioner of Police, about this and other disturbing incidents about which they have heard. These citizens have appealed to The Advertiser to raise its voice once more in behalf of justice and common decency. Some of them have called by this office to discuss these deplorable incidents, others have written indignant letters. But the writers of the letters request that their names be omitted. Others naturally are reluctant to go further than to plead with Colonel Screws and The Advertiser to "do something about it."

There is also a deep-seated bitterness among the Negroes of Montgomery toward the police department, a bitterness based upon fear, a fear derived from the treatment many Negroes have received at the hands of some men in the service over a long period of years. Unfortunately this bitterness and distrust in a vast section of this city's population is indiscriminating. The entire department is blamed for abuses committed by a few police officers. When 40 per cent of the population of any community either hates or distrusts the established agency of law and order, an agency which should be the pride of citizens

of all classes and races of good will, because of the misdeeds of a small number of officers, a condition exists which demands the sympathetic and intelligent consideration not alone of the city government, but of all responsible citizens as well. The Negro leadership of this community, the intelligent, well-disposed Negro citizens who desire only a fair deal at the hands of their white neighbors and friends, would certainly be the last among us to deny the necessity of firmness upon the part of law officers in dealing with large numbers of backward, undisciplined and often criminally disposed Negroes. That type of Negro is as much of a burden and source of grief to the sensible and decent people of his race as he is a problem to officers of the law. Responsible Negro leaders and good Negro citizens who are not in positions of leadership constantly counsel their people to observe the law, to deport themselves acceptably to their neighbors, white and black. They cooperate to the best of their ability with the city government and all of its agencies to repress the lawless, rowdy and ignorant members of their group.

But the decent, high-minded Negroes of this community give more than they receive. They lend the weight of their influence objectively to the improvement in the demeanor of the more backward and difficult members of their race. They are ambitious for their race. They have pride and personal dignity and integrity. They are on friendly terms with their white neighbors, most of whom treat them with respect and common courtesy, most of whom indeed have hearts that a Negro of good will can trust. We say that the orderly, high-minded Negroes of this community give more than they receive to the cause of good deportment in this community for the reason that there are some men on the police force of Montgomery who show them no more respect and courtesy than if they were outlaws and bums. This isn't a rhetorical flourish but a simple statement of fact which every honest citizen of Montgomery

knows to be true. At least The Advertiser knows it to be true, and that is sufficient for the purposes of this friendly article, this note of warning and admonition, this plea for a higher standard of police deportment in the proudest city of Alabama, this plea for common decency in human relations, this warning that unless strong hands and wise heads intervene a great chasm shall sink itself irretrievably between the two races which compose this old town at the bend of the river and pride themselves upon the friendly relations between all groups and classes. The Advertiser for one is not willing to see a handful of police officers bring grief to our citizens by wantonly abusing and humiliating people of color (only because people of color do not vote their strength when he is defending officers under him who are known by others to be guilty of atrocious conduct. The Advertiser is not willing to see a few members of an honored and efficient branch of the public service wreck the reputation of that service and so besmirch the reputation of the entire city. But The Advertiser would be untrue to its taste, no inherent kindness, no gift itself and untrue to the people of this community if in the circumstances of which it is well aware it did not cry out against brutalitarian government in the darker recesses of a city which outwardly is genteel and kindly disposed.

The Advertiser wishes to assure Colonel William Preston Screws, Commissioner of Police and Fires, of its esteem and affection. He is an able and conscientious public servant. He has organized the most efficient police force that Montgomery has ever known. The great majority of the members of that force are men of honor with a lively sense of social responsibility. They are decent and courteous and so are becoming to a city that makes some pretension to an equity in the genteel tradition. Colonel Screws is on the spot because he happens to be a gentleman. He despises brutality for he is as tender as a woman. William Preston Screws that we do not hesitate for all his big talk when trying to defend to appeal to him to—

Instruct his men, high and low, in the



principles of common decency and common courtesy in their relations with all citizens regardless of color, and to—

Restrain his men from wantonly killing, assaulting and insulting "niggers," and to—

Abstain from defending brutes who night after night are bringing his department into popular disrepute.

Because Colonel Screws is a gentleman, and so a man of honor, The Advertiser believes that he will no longer condone the practices of a minority in his organization which consistently, day after day, night after night, affronts and often brutalizes worthy and honorable Negro citizens of this community.

Let Colonel Screws drive the baboons back to their jungle! They have no place in the public service of a civilized community here in the Deep South.

## Cop Brutally Beats Driver

BALTIMORE—Clarence Washington started out and was followed by the officer who overtook him in a nearby alley.

Washington started out and was followed by the officer who overtook him in a nearby alley. Both eyes closed, and his skull possibly fractured Sunday night because he resented being searched and arrested by a plainclothes officer who said "he looked like" a suspect wanted on a burglary charge.

In addition to this beating administered by Officer Charles Heyman of the Northwestern district, Washington, whose character record is unblemished, was charged with assaulting the officer and placed under a police guard in Provident Hospital. His trial on when observed ten hours later April 22.

Accosted in Tavern Through sore lips, swollen most twice their normal size, Washington, employed as a chauffeur for one family for more than six years, told a reporter Monday that he was in a tavern at 1508 Lafayette Avenue, shortly after 1 a.m., Monday, when the incident occurred.

He said that, while standing at the bar, the officer, unknown to Washington, entered and, walking up to him, began searching him, apparently for weapons.

Resenting this, Washington said the officer swore at him and struck him with his fist. The chauffeur struck back and when

to draw his gun and threaten to shoot in order to keep a quickly gathering crowd at bay.

It was learned that Washington's employers have taken a keen interest in the case and have retained the services of their lawyer to make a complete investigation.

Washington said that his boss, Stanford Rothchild, visited him in the hospital at 3:30 a.m., two hours after the occurrence and promised to stand by him. The AFRO learned that the Rothchild family are very fond of Washington and will do all in their power to see that justice is done.

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Beaten with Blackjack There, Washington said, the officer, joined by another, proceeded to beat him unmercifully with a blackjack. Someone called for more police who arrived in a radio car just in time to prevent further beating of the chauffeur.

Washington was taken to the hospital where he was treated by Drs. G. Franklin Phillips and Ralph Reckling for multiple lacerations of the face and scalp swelling of both eyes (still closely observed ten hours later) and a possible fracture of the skull. The officer was treated by a private physician for a bruise during the fight.

Reporting his side of the incident to his superior officers, Patrolman Heyman said that he went to the tavern looking for a man by the name of Givins wanted by Western district police on a burglary charge. He said that when he asked Washington whether he was Givins, the chauffeur struck him in the

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Article IV. The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation and particularly describing the place to be searched and the persons or things to be seized.

Los Angeles Community Builders, Inc., has been organized to secure the protection of the Bill of Rights (Amendments—Articles 1 to 10) of the Constitution.

It demands police to—  
1. Show a warrant before entering homes;  
2. Discontinue destruction of property in raids;  
3. Eliminate force and violence in making arrests;  
4. Bar use of stool pigeons from underworld as informers.

Ten thousand dollars a year will be spent in filing civil suits against offending policemen and defending persons illegally arrested.

Community Builders is an organization that will bear watching. We hope it succeeds. We need branches in most cities along the Atlantic Seaboard, too.

ADAMS NOT ACCUSED OF BLOWS

During the testimony in Galvin's trial, none of the witnesses accused Officer Adams of striking a blow.

Willie Humphries, 40-year-old Harlem taxicab driver, and Willie McHenry, a former cab driver for the same firm, were the star witnesses for the state, both declaring that Policeman Galvin beat Humphries about the face and head with his fists, rubber hose, and black jack.

McHenry also accused Galvin of beating him.

The trial was the outgrowth of an indictment returned against Officer Galvin on a charge of beating Humphries in police radio car while the prisoner was being carried from the bus terminal to the city jail.

According to testimony, Humphries was arrested and booked on a charge of interfering with policemen. The cab driver is alleged to have informed McHenry that the officers were looking for him.

McHenry, wanted for escaping from the city stockade, was arrested by the policemen at a Frank Street address. McHenry said Galvin beat him while Officer Adams drove to the bus terminal to pick up Humphries.

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## Article IV

### U.S. CONSTITUTION—AMENDMENTS

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Adams, McHenry and Humphries to the police station.

The officers said they did not see any blood on Humphries and saw nothing wrong with his face when they arrested him. They also stated that they saw nothing wrong with him when he entered the city jail.

### HORNSBY SAW PUFFED EYES

On the stand as a character witness for Galvin, Police Chief Hornsby said Humphries' eyes were puffed and his face bruised when he talked with the victim and his lawyer one day after the crime is alleged to have been committed.

The chief said it appeared as though Humphries had been struck in the face with a human fist.

In his argument to the jury Defense Attorney Charles Bruce referred to the two state witnesses as criminals who were trying to have Officers Galvin and Adams fired.

He said newspapers were inciting the Negro population in Atlanta. He further stated that policemen are now afraid to arrest colored suspects because of the incident.

### WORLD HELD BEFORE WITNESSES

On two occasions during the trial Wednesday, the attorney held an Atlanta Daily World newspaper before witnesses and asked them if they had read the account of trial in the publication. Solicitor Almand's objection to the questions were sustained by Judge McClellan.

Solicitor Almand told the jurors that they would still have a case against Officer Galvin if they excluded the testimony of the two colored cab drivers. He declared that inasmuch as the arresting officers said Humphries showed no signs of having been beaten when they arrested him but was ordered sent to Grady Hospital by a superior officer when he (Humphries) arrived at the city jail was enough proof to show that he had been harmed from the time he was arrested up to the time he arrived at the jail.

### DRIVERS CLAIMED POLICE BEATING

Both McHenry and Humphries declared that Galvin beat Humphries while en route to the jail.

The charges were denied by both officers. Lieutenant Tippen who said he advised the officers to arrest Humphries declared that he trailed the car containing Galvin,



**Police And Public**

*Washington Post*  
District grand jury is considering the case of two policemen accused of brutality. Should they be indicted, convicted and sentenced, they would be the first punished by the courts on this perennial charge since 1932. *Sept 6, 1940*

The present defendants were suspended from the force after half a dozen persons complained of being kicked, clubbed or otherwise assaulted. One man said two policemen invaded his home and beat him "without provocation."

Only by the most thorough investigation of facts and causes can these serious charges be properly disposed of. No circumstances can justify unprovoked attacks by police on citizens, and if such occur they must be punished with dispatch. Brutality could only stir resentment which would aggravate the problems of effective law enforcement.

Washington's police do face some difficult problems. In the last few months many patrolmen have been attacked by persons resisting arrest. A park policeman has been killed, a detective sergeant shot and disabled, and a "rookie" so badly beaten that he spent a week in the hospital.

If officers walking lonely beats feel their colleagues are so few and help so far away that they must resort to illegal and brutal methods to put fear into the people they are supposed to serve, then the whole ugly picture must be displayed. Congress cannot go on indefinitely denying the District an adequate number of police.

**GOVERNOR ORDERS INVESTIGATION OF POLICE BRUTALITY**

BATON ROUGE, La. — (ANP)

Gen. Eugene Stanley has ordered an investigation into the case of Mrs. Bea Jackson, who was allegedly beaten and dragged by Chief of Police Luke Wimberly of Church Point on the night of July 31, according to Leon Lewis, Associated Negro Press representative.

Lewis stated that all data secured on the case including statements from eye witnesses to the incident has been sent to the attorney general's office and that Mr. Stanley has ordered the investigation.

He said correspondence from Churchpoint had verified that the investigation is already under way. "Additional information," Lewis said, "is being checked regarding some trouble Mrs. Jackson had with Chief Wimberly several days prior to the July 31 incident, and also relative to several other beatings meted out to Negroes of Churchpoint at the hands of Wimberly."

Expressions of appreciation should be sent to the attorney general for the thoroughness with which the "Booster" Williams investigation at New Roads was handled by the state department several months ago, Lewis said.

"It was the first time in the history of the South that any state department has seriously concerned itself with such incidents involving a Negro," he said. "Every single intimation and clue was traced to exhaustion."

Mrs. Jackson has been released from Charity Hospital in New Orleans and has gone to another city in the state for recuperation. According to hospital authorities, her case should be under constant observation until she has passed the point of danger. It is doubtful as to whether she will ever completely recover from the impaired eye and kidney defect.

**Drop Cruelty****Charges Against****Atlanta Officer**

*SEP 15 1940*  
Charges preferred against Patrolman G. Robertson early last

month in connection with the arrest and alleged beating of Earl Sands, 22, who dropped Friday night at the meeting of the Police Committee at the request of Attorney William C. Henson, the complainant.

Sands charged the officers beat him with a black back and slammed an automobile door on his leg.

Sands was fined \$34 in Recorder's Court, following his arrest on charges of resisting arrest, disorderly conduct and being drunk.

**REFUSED TO REPORT TICKET MONEY; BEATEN**

*Chicago Bee*  
**Happens at Beauty Contest**  
*Chicago Bee*  
*Sept 1-4*

Conflicting stories concerning Miss Sadie Overton, well known socialite and ticket chairman for the Miss Bronze America Dance, held at the Coliseum Monday night in connection with the Exposition, are being bruited about Chicago's South Side.

According to Miss Overton she was set upon and brutally beaten by Sergeant Deas while A. W. Williams, Truman P. Gibson, Jerry Black, several policemen and several boys looked on. Miss Overton claims to be in bed suffering from a wrenched back, black eye and several bruises.

**Pushed Over Chairs**

Miss Overton told the reporter that Sergeant Deas attempted to detain her for no apparent reason in the police headquarters at the Coliseum. When she tried to leave the room, he pushed her over some chairs causing her to fall, and then "walked all over her."

**Reselling Tickets**

The misunderstanding had arisen from the fact that several boys were on the street selling tickets and the claim was that they were re-selling tickets from the box office. It was alleged that Miss Overton refused to make a report.

**Denies Beating**

Sergt. Deas, who is in charge of the police department at the Negro exposition denied that he beat up Miss Overton and stated that he arrested her and had her booked at the Eleventh street station on a disorderly conduct charge.

**La. "Cop-Beating" Investigation On**

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**MEMPHIS POLICE HEADS SUSPENDED**

*Age-Herald*  
MEMPHIS, Tenn., Aug. 5—(AP)—

Finding three of the city's highest police officers "derelict" in their duties in the months-old release of a Negro arrested in a shooting case, the city commission today ordered their suspension for 30 days, effective immediately.

The officers are Chief Will Lee, Inspector of Detectives Clegg Richards and Capt. Frank Glisson, head of the homicide squad.

The action followed a special commission meeting Saturday which aired charges that Capt. Glisson accepted \$200 for release of the Negro. Glisson denied the accusation, which was presented by City Attorney Will Gerber on the basis of signed statements from Lee and Richards.

A formal commission statement issued from Mayor Walter Chandler's office ordered the suspensions pending further investigation and said "no final conclusion has been reached" in regard to Glisson.

The commission was told this story of the case:

The Negro, who had a previous police record, was arrested soon after the shooting of a second Negro here May 20. Shortly afterwards, he was released without his name appearing on the public police docket. The release was ordered by Glisson and approved by Lee and Richards.

In early June, officers learned of the alleged bribery and instituted their investigation.

Police Commissioner Joe Boyle said he was not informed of the matter until July 8.

The commission statement said in part:

"It is clear from the facts already presented that Chief Lee, Inspector Richards and Capt. Glisson were derelict in their respective duties in ordering the release (of the Negro), in failing to take prompt and proper steps to learn the facts of the bribery charge when made, and in not bringing the entire matter to the attention of Commissioner Boyle immediately on learning it."



Birmingham, Ala., Age-Herald

May 22, 1940

## Eager To Do Right

The Fairfield City Council, by a vote of seven to three, has decided to investigate thoroughly the circumstances surrounding the beating and killing of a Negro prisoner at the city jail and to reconsider its action in the case. Previously, under no little stress and strain, the council had rejected a proposal by Mayor Gilley that officers involved in the affair be dismissed from the police force. But apparently some of the council members believe that the action was too hasty and they have had the courage, coupled with eagerness to do the right thing, to reopen the case.

A committee, composed of Mayor Gilley, and Councilmen Lawrence Sides, George M. Pharr, Jr., W. C. Brown and Robert L. Green, has been appointed to investigate the shooting and to make recommendations.

"I want to make an appeal that the council, before voting, make an effort to hold before us the best interest of Fairfield without any political voice of any kind. We should consider the feelings of Fairfield and the community. We can't afford to allow our town to get this unfavorable publicity. Let's be broad-minded and put aside any political or personal animosities for the best interest of our town." This was the plea of Alderman Green—and represents, we believe, the feeling of the people of Fairfield.

From the very first it was evident that the citizens of Fairfield wanted to get to the bottom of this thing and to protect the community's good reputation. Fair-minded Alabamians will allow Fairfield people to work out this problem themselves, under the able leadership of men like Claude Gilley and Robert Green and the scores of others who help make Fairfield a fine community.

Birmingham, Ala., Age-Herald

May 24, 1940

## Action At Fairfield

The Fairfield City Council, on reconsideration, has voted to dismiss two police officers involved in the beating and shooting of a Negro prisoner at the Fairfield jail. The council also recommends that the Civil Service Personnel Board investigate and decide whether or not a third policeman should be discharged or exonerated.

The action was taken after an investigating committee had looked into the affair and made recommendations.

Mayor Claude Gilley, who first de-

manded discharge of the officers involved in the case, acted with exceptional courage and good judgment. He had the backing of several members of the council and the people of Fairfield when the gravity of the case was brought to their attention.

All too often there is a tendency among city officials and police chiefs to protect policemen guilty of conduct unbecoming officers of the law. The easy thing in such circumstances is to whitewash the affair and pretend that there is no wrong-doing to be punished. Such officials are shortsighted and usually by taking the "easy course" overlook public opinion, which sooner or later is brought into play on the side of justice, no matter how humble may be the victim of overzealous police.

With this good start Fairfield now has an opportunity to add to its reputation for fair dealing with the most humble of its residents, for the protection of human life and for guaranteeing civil rights. Its police department should command respect from persons in high and low places and for this reason should better be able to enforce the law.

We are proud of our neighboring community for this action. And the people of Fairfield may take just pride in living there.



# Galvin Named As Officer Who Beat Prisoner *Constitution*

## Taxi Drivers Charge Po- liceman With Wielding

### Rubber Hose,

Two Atlanta Negro taxi drivers—Willie Humphries and Willie McHenry—yesterday named City Police Officer James Galvin, former Cracker catcher, as the policeman who beat Humphries with a rubber hose on the night of February 29 following his arrest in front of the bus station on Carnegie way.

Humphries and McHenry were principal state's witnesses as the trial of Galvin on charges of assault and battery got under way in Fulton criminal court before Judge John S. McClelland.

### Denies Charges.

Later Galvin took the stand in his own defense and categorically denied striking the Negro or that he had had any trouble whatsoever with Humphries. He said after the arrest he and his partner, J. D. Adams, who also is under indictment for assault and battery in the same case, drove straight to the station.

His testimony was later substantiated by Lieutenant F. L. Tippen, who was present when the Negro was placed in the police car.

He testified that he ordered the Negro arrested, that he followed the other police car to Decatur street and Piedmont avenue, and that at no time did he see or hear anything unusual of disorderly.

He also refuted a statement by Humphries that the police stopped the auto on Houston street en route to the station and beat him. Lieutenant Tippen said they made no stops en route to the station.

### Mann Testifies.

Earl Mann, president of the Atlanta baseball club; Paul Richards, club manager; Luke Arnold, Atlanta attorney; Capus Brewer and Carlos Hemperley testified as to Galvin's character.

The case is expected to go to the jury about noon today.

Before launching into a defense of the case, Defense Attorney

Charles Bruce sought dismissal of the charge on the grounds that both Humphries' and McHenry's testimony had been impeached, but was overruled by Judge McClelland.

Criminal Court Solicitor Bond Almand questioned the state witnesses. He drew from Humphries the statement that Galvin hit him with a rubber hose a few minutes after being put in the police car. He testified that after Galvin had struck him he said, "I'll show you about talking."

McHenry's testimony substantiated Humphries.

Both were subjected to a long cross-examination by Bruce, who attacked the credibility of the witnesses and sought unsuccessfully to introduce Humphries' police record.

Humphries, according to the evidence, was arrested on a charge of interfering with a police officer. It was pointed out that Humphries had told McHenry that police were looking for him.

After his arrest and alleged beating, Humphries was booked at police station and then taken to Grady hospital for treatment.

The state introduced a photograph of Humphries, taken two days after his arrest, which showed he had been beaten.

# Galvin Freed Of Charge He Beat Prisoner *Constitution*

## Jury Acquits Policeman of Assault Complaint

### Made by Driver.

James Galvin, Atlanta city policeman and former Cracker catcher, was acquitted of assault and battery charges beating a Negro taxicab driver by a Fulton criminal court jury yesterday afternoon. The jury deliberated less than 30 minutes.

The trial was before Judge John McClelland with Solicitor Bond Almand in charge of the state's case.

The indictment charged Galvin with beating Willie Humphries last February after arresting him on a charge of interfering with an officer.

Humphries and Willie McHenry, another Negro cab driver, testified for the state.

It was indicated yesterday that the state would not prosecute a similar indictment pending against J. D. Adams, Galvin's partner.

Chief Hornsby and Claude Bond, Georgia Tech athletic trainer and former Southern league umpire, testified as to Galvin's good character.

Lieutenant T. O. Cawthorn, station lieutenant, who sent Humphries to Grady hospital to have bruises on his cheeks examined by doctors, said he asked Humphries what was the matter.

"I got hit," he quoted Humphries.

But when he asked the Negro who struck him, Humphries refused to answer, Cawthorn asserted.

# Personnel Director Investigates Fairfield Police Officer's Case *News*

Personnel Director James H. Hard, Jr., today launched an investigation into the case of W. G. Cook, Fairfield police officer, who is one of four men indicted by the Grand Jury on second degree murder charges in the fatal shooting of O'Dee Henderson, Negro, at the Fairfield Police Station recently.

Hard said his first move in the investigation was a review of the testimony given before the Bessemer Grand Jury. After that is completed, Hard said a number of witnesses will be summoned for further inquiry, either in Fairfield or in Birmingham.

Hard was requested by the Fairfield City Council to investigate the case of Cook, who has been suspended by the council for 30 days pending the outcome of the civil service investigation.

Officers W. T. Glenn and Thomas Nelson, who also were indicted by the Grand Jury, were discharged by the Fairfield Council. The fourth indictment was returned against M. M. Hagood, Fairfield citizen, who allegedly was knocked down in an altercation with the Negro before he was placed under arrest and taken to the police station.

## Good For Fairfield

The Fairfield City Council has done the proper thing in voting to reopen the case against the Fairfield police officers charged with beating a Negro prisoner who subsequently was shot to death by one officer at police headquarters.

In the discussion preceding the decision, members of the council and others pointed

to the unfavorable publicity Fairfield has received as a result of the incident. Here is an illustration of the old truth that publicity is one of the great healing agencies in a democratic country.

We need more publicity for questionable occurrences in this country. We need more of the spotlight of publicity turned upon the dark spots in our society.

We ought to be thankful in this country that citizens have a right to protest or inquire concerning what seems questionable actions on the part of their public employees. There are many countries today where that is not the case. But here we can be, and should be, skeptical about any occurrence which public officials seem inclined to want to hush up.

Now that the Fairfield City Council has decided to make a thorough investigation of the case, there should be no halfway measures. The facts should be ascertained and the proper action taken, whatever it may be. As important as it may be to take the proper action, however, the more important thing is to get to the bottom of the facts and to make them public.



# Council In Fairfield Votes To Drop Accused Policemen

Two Officers Dismissed In Shooting Of Negro  
Personnel Board To Investigate Third Case

FAIRFIELD, Ala.—Immediate dismissal of Officers Thomas Nelson and W. T. Glenn and a recommendation that the Civil Service Personnel Board investigate the case against Officer W. G. Cook was voted yesterday afternoon by Fairfield City Council in connection with the whipping and subsequent fatal shooting of O'Dee Henderson, a Negro prisoner, at Fairfield police headquarters two weeks ago.

The report was submitted by a specially appointed committee who were ordered Monday night to investigate the case and make their recommendation.

Mayor Claude M. Gilley, who was the only member of the five-man committee to vote to discharge all three of the officers, launched a verbal protest before the council and said: "I'm not a member of this council but I still have my veto powers."

Gilley asked for a minority motion to discharge all three of the officers. It was made but was voted down, seven votes to two.

Before the council voted Officer Nelson charged the council had no right to take action against him before the Grand Jury in Bessemer concludes its investigation. Nelson referred to Mayor Gilley's original letter to him in which it was stated he was "suspended pending action of the Grand Jury." Nelson's remarks were reiterated by his brother, Eugene Nelson, a Georgia bus driver, who appeared in his brother's behalf.

Nelson said he would appeal the case. Nelson and Glenn have the right to request a hearing before the Civil Service Personnel Board, provided the request is made within 10 days after their dismissal.

Mayor Gilley objected to allowing the Personnel Board to investigate the case against Cook. He contended it is the responsibility of the council to take action on such matters. Robert L. Green, one of the aldermen who voted originally to discharge the officers, objected to Gilley's contention, stating: "I called the board and they said they would investigate the charges against Officer Cook if the council so recommended."

O'Dee Henderson, an employee of the sheet mill, was shot to death by Officer Nelson after he was reported to have attempted an escape and to have grabbed at the officer's blackjack. Reports by Officers Nelson and Glenn showed they had beaten and whipped the Negro prior to his death. Henderson had been arrested on a disorderly conduct charge.

## CLAIM BOY BEATEN TO DEATH AFTER ARREST IN ATTACK CASE

DALLAS, Tex., June 6—Because the local branch of the National Association for the Advancement of Colored People was not satisfied with the explanation given out by officials of the state training school for boys, in connection with the death of 15-year-old Ernest McDay on Wednesday, May 14, one of the most brutal police crimes against Negro youth in the history of Texas, has been uncovered.

Young McDay, Theodia Muldrow, 18; and Albert Wesley, Jr., had been charged with fatally attacking a 51-year-old white woman on April 23. Muldrow was sentenced to death by an all-white jury that handed in its verdict within 20 minutes. Wesley's trial came up May 27. McDay was sentenced to serve not less than four years in the state training school for boys, thus escaping the death penalty because of his youth.

According to local newspaper reports, McDay, who had appeared before Criminal District Judge Henry King on Tuesday, was delivered to the training school the following morning at 9:25 by B. O. Snellen and E. E. Wallace, assistant county juvenile officers. Wednesday evening at 6:30 p. m., a report was given to Earl R. Parker, county juvenile officer by officials of the institution stating that McDay had just died of coronary thrombosis, and a blood clot in the heart, that developed from the effects of syphilis.

Calling for an autopsy to determine the correctness of this report the N. A. A. C. P. received the report which blasted the whole lie of McDay's having syphilis, and showed that he had been beaten to death.

According to Dr. J. L. Goforth, pathologist connected with St. Paul hospital, who performed the autopsy, there were numerous scars and abrasions on McDay's

face and body. The heart was in perfect condition, proving definitely that there was no taint of syphilis and a total absence of evidence of coronary thrombosis or any other heart trouble. All the boy's vital organs were in such a healthy condition that it indicated positively that the youth died from unnatural causes.

According to Dr. George F. Porter, secretary of the local N. A. A. C. P. branch, Negro citizens of Dallas are aroused as they have never been before over this brutal crime. It is the sentiment of citizens, he said, that law enforcement officials, cheated out of the electric chair death of McDay because of his youth, have seen to it that death overtook him anyway.

Dr. Porter said the association will take steps to bring the guilty officials to justice, and will leave no stone unturned to carry the case through the courts.

# Prosecution Demanded By Seven Organizations: Boy's Condition "Good"

Sergt. Vernon O. Deus, 35, of the Capitol police force, whose shooting in the neck of 10-year-old Fred Walker, Jr., in the Senate Office Building guard room had been termed "gross negligence" by his superiors, was suspended "indefinitely" on Wednesday.

The officer's suspension followed a four-hour conference with Chesley W. Jurney, Senate sergeant-at-arms and a member of the police board, by members of various organizations who demanded his dismissal and prosecution.

The delegation also visited the office of United States District Attorney E. M. Cullinan, where they reported to an assistant U. S. Attorney, J. W. Fihelly, statements made by three children, Margaret Marie, 11, her brothers, Elijah, 12, and John, of 440 I Street, Northwest, who were present at the shooting.

Meanwhile, the condition of Fred, who lives at 12 Fifth Street, Northwest, was described at the Casualty Hospital as being "very good."

Those attending the conferences with Messrs. Jurney and Fihelly included:

The Reverends R. W. Brooks, Ministerial Alliance, and Arthur D. Gray, Washington Council of the National Negro Congress; Mrs. Gertrude B. Stone and John Lovell, of the N. A. A. C. P.; John P. Davis, executive secretary of the National Negro Congress;

Dr. Leon Ransom, Federation of Civic Associations; Hugh Miller and Miss Bertha Blair, Washington Committee for Democratic Action; Dean William A. Hastie, of the Howard University Law School, and Eugene Davidson, New Negro Alliance.

According to the story of the children told to Mr. Fihelly, they were carried to the Senate guard room from the swimming pool in front of the Union Station and efforts made to frighten them.

They said that at first ice water was thrown on them, and then a police said that they would be put in a gas chamber.

Later, according to the children, Sergeant Deus picked up his revolver from the table and said, "How would you like this?" The weapon exploded and the bullet passed through the neck of the boy, but is reported to have missed any vital spot by the fraction of

## Reprimand First Given

The children were carried with the mother of the wounded boy to Mr. Jurney, but at that time the Senate official declared that the officer had been reprimanded, but refused to suspend him pending further investigation.

Decision to suspend Sergeant Deus was taken, according to Kenneth Romney, House sergeant-at-arms and chairman of the Capitol police board, on the basis of an investigation of the shooting by Lt. R. W. Brown, board clerk. Police officials in their investigation termed the shooting "purely accidental."

## No Play Facilities

The day following the shooting, N. A. A. C. P. officials in an informal discussion of the case linked it with the denial of recreational facilities for colored children in the District.



## Governor Pardons 3rd Policeman Convicted In Killing Of Negro

SEATTLE, Wash. — (CNA)— Governor Martin this week has granted a conditional pardon to Patrick L. Whalen, last of a trio of white police officers to be freed before serving a day of a 20-year-sentence for manslaughter.

Whalen was convicted of delivering the blows that killed Berry Lawson, Negro waiter, in the police station in the Spring of 1938. A conditional pardon places Whalen virtually on parole, the state board of paroles and prison terms explained.

F. H. Pashall and W. F. Stevenson, the two other members of the trio convicted of manslaughter in the death of Lawson, were pardoned several months ago by Gov. Martin.

Whalen received word of his pardon from a hospital bed where he collapsed sobbing eight months ago on the eve of his departure for Walla Walla penitentiary.

A sordid story of bribery and perjury was unfolded when the notorious case came to trial after desperate attempts had failed to cover up the fact that a prisoner had been hammered to death in the wagon room of the police station.

A coroner's jury whitewashed the death with the verdict that Lawson had come to his death by a fall downstairs while "resisting an officer."

One witness protested that Lawson had not fallen downstairs but had walked into the wagon room and after a few minutes alone with the police officers he had been hauled from the room—a corpse. Lawson had been arrested for sleeping in a chair in a hotel lobby.

Surprise witnesses were produced who declared they had witnessed the prisoner falling downstairs, but when charges of murder were subsequently filed against the police officers, the witnesses returned to testify they had been bribed to appear at the coroner's inquest.

## Let's End Police Brutality

The alleged recent beating and burning of a 16-year-old junior high school boy by an Atlanta plainclothes officer in order to obtain a "confession" to a petty crime has aroused the indignation of citizens in all walks of life. Application of torture methods to pin guilt on persons in custody of police has long been outlawed. The Supreme Court of the United States recently condemned the practice. The fact that a young boy was involved in the incident makes the matter *early word*

The kind white woman employer of the victimized youth is to be thanked and commended for bringing to the attention of the proper *authorities* and law enforcement groups the alleged act and securing the immediate suspension and indictment of the officer said to be involved. We have known of several *cases* where persons have not reported police brutality for fear *of* violent consequences with which they have been threatened.

It is hoped that the three investigations into the reported "third degree" will result in an immediate and final death thrust to police brutality in our fair city. If a fair and impartial jury finds the officer guilty of the outrage, then he should be given the limit of the law that others who would follow his example might know what is in store for them. The Juvenile Court, the Grand Jury and Chief Hornsby of the Atlanta Police Department should get the whole truth and nothing but the truth and the courts should act. Let's stop police brutality in Atlanta for all time.

## Galvin Is Named In Indictment

*early word*  
3-28-40  
**Bill Charges  
Officers With  
Assault, Battery**

Two more Atlanta officers were indicted by the Fulton Grand Jury Tuesday on charges growing out of alleged brutality towards a colored person.

City Policemen James Gal-

vin and J. D. Adams were "true" billed on a charge of assault and battery that alleges they attacked Willie Humphries, taxicab driver, with some blunt instrument of February 29.

They were later put under bonds of \$500 each.

Another Atlanta policeman, W. F. Sutherland, is under indictment by both the federal and Fulton grand juries on brutality charges and under suspension from his job, in connection with the torture of a 16-year-old youth, Quintar South. Sutherland is scheduled to stand trial March 25 in federal court in the alleged denial of South's civil rights.

### THREE YOUTHS RELEASED

Judge Paul S. Etheridge Tuesday nol prossed burglary indictments against Harold Williams, John Briggs and Alfonso Jamison, three youths accused jointly with Quintar South, alleged police torture victim.

## POLICE BRUTALITY

South charged that his confession of the burglary laid to him was extorted by means of burning and beating inflicted by Plainclothes Officer W. F. Sutherland in state and federal courts.

South's case, which comes up for hearing March 26, two days after Sutherland's scheduled trial, was not nolle prossed.

### "BEATEN WITH HOSE"

Humphries charges Officers Galvin and Adams beat him with blackjacks while he was being taken to Police Headquarters. When he posed for a picture for a WORLD staff photographer, he said the officers beat him "for no cause". A short piece of rubber substance was used in the beating, Humphries claims. The victim faces charges of "interfering with an officer" scheduled for state courts.

The taxi driver said the officers picked him up at the bus terminal and drove to Houston street, between Piedmont avenue and Courtland street where they parked and beat him about the face and kicked him in the lower portion of his body, charging that he tipped off another cab driver that they were seeking him for arrest and aided him to get away. He was arrested on the "interfering" charge and bound over to Fulton courts.

### Atlanta Cop Indicted for Branding Boy

ATLANTA. — (ANP) — Charging that he was tortured and beaten on the night of February 29, a city detective, who answers to the nickname "Red," in an effort to force a "confession" to a burglary which he claimed he knew nothing about, Quintar South, 16-year-old Negro student of David T. Howard school, the city, was heard by a Fulton county grand jury this week when he related the brutal tactics of third degree methods used on him. The grand jury Friday indicted City Policeman W. F. Sutherland for assault and battery. He was suspended from the force.

Sutherland, who was identified by the Negro youth as the one who "branded" him on the arm and neck with an electric drying iron after slapping him around and beating his head

## OFFICERS NOT BLAMED FOR BOY'S DEATH

*Cable*  
**Roy Turner of St. Joseph  
Killed by Police 'In**

**Line of Duty'**  
3-15-40

ST. JOSEPH, Mo. — A coroner's jury ruled here Wednesday, March 3, that Roy Turner Jr., 16-year-old boy, met death by a pistol wound fired by officers "in the line of their duty."

The jury resolved of blame Hannibal Morrison and G. E. Thomas, the two white officers, one of whom shot and killed the youth on Wednesday night, February 28, when they saw him at a window at the home of John Thompson, white, 1520 Charles street.

The detectives said they thought the boy was trying to tear the screen from the window. "I'm certain he intended to go into the house," Morrison told the jury. The boy was shot fatally when he attempted to run when he saw the officers, who said they fired two warning shots before hitting the boy.

Roy was the son of Mr. and Mrs. Roy Turner, 212 South Twenty-second street.

Negro citizens deeply resented the shooting of Roy Turner and were disappointed over the verdict of the coroner's jury.



# TAXICAB DRIVER RELATES ATTACK

ATLANTA, Ga., March 28--Indicted for assault and battery upon Willie Humphries, colored prisoner, Patrolmen J. D. Adams and J. J. Galvin have been indefinitely suspended from duty by Police Chief Hornsby, who pointed out that under the law, if any officer of his department has an indictment returned against him by a grand jury, suspension is mandatory. Prior to the grand jury's action, he commented, he had investigated the reported attack on Humphries by Adams and Galvin, but failed to find sufficient evidence upon which to base suspension of either of them.

Humphries, a taxicab driver, claimed that he was arrested on the night of February 29 by the two policemen, who placed him in a squad car, and while taking him to the city jail, set upon him and beat him with blackjacks. Though he showed unmistakable marks of a severe beating, the following morning when his case was called in Recorder's Court, Officers Adams and Galvin, who denied attacking him, offered the explanation that the injuries might have occurred after he was released during the early morning hours when he made bond pending his subsequent appearance before the Recorder.

Both State and Federal courts recently returned indictments against another police officer, W. F. Sutherland, charging him with torturing by burning with a hot iron Quintar South, Negro youth, arrested as a suspect in a petty robbery case, to force the boy to "confess."

## Citizens Ask Removal Of W. C. Elliott

Chief Smith And City Mgr  
Quinn Hear Protest of  
Negro Delegation

City Manager Quinn, Chief of Police Frank Smith and City Attorney Mills, heard protests Thursday from a delegation of Negroes protesting against the retention on the police force of W. C. Elliott, traffic officer, who shot to death Thomas Bradley in the doorway of the St. Louis Hotel, North Broadway, several weeks ago.

The committee, headed by Ernest Richards, president of the Oklahoma City Branch of the N. A. A. C. P., offered witnesses who testified that Officer Elliott had a bad record and was guilty of having beaten up three Negroes before he slew Bradley. Chief Smith stated to the committee that he had placed the matter in the hands of Lewis Morris, county attorney, and that Morris had exonerated Elliott, and that he had given Elliott a clean bill of health, based upon the investigation of Morris.

Editor Roscoe Dunjee, who was one spokesman for the committee, pointed out that the committee was not attempting to raise the question of the prosecution of Officer Elliott, but that the committee hoped to submit testimony which would show that the officer had a reputation of beating Negroes whenever it occurred to him.

"This man is judge and jury, and he also inflicts the penalty. The record will show that he unmercifully beat three rooming house porters, and that subsequent to the beatings he never filed any charges against the victims of his wrath," said Editor Dunjee.

"We think that this record which we prove by three witnesses, plus the testimony of Dr. E. B. Brooks, who treated one of the boys, and Salty Fullerton, councilman from the second ward, who saw the condition of one of the mutilated boys, is sufficient to cause this man's dismissal," continued Dunjee.

Editor Dunjee also told the chief that since the murder of Bradley, officers had beaten an-

other Negro into insensibility down in the southern part of the city. Smith stated that he had not heard about this and Editor Dunjee promised to furnish the name of the man and the hospital to which he was taken following the slugging.

The city manager and the chief took the matter under advisement, saying they would reinvestigate the matter.

## Arrested W Policeman M

TEXARKANA, Texas, Feb.

23—Local civic and church organizations were this week taking steps to make formal protest to police officials here regarding the conduct of a policeman in arresting a woman who sought his protection from two white rowdies.

The incident occurred on February 2 when Miss Pearlina Florence, 1711 Laurel street, went to the Reason drug store to exchange a rental library book for her employer.

According to the woman, as she entered the store a white youth shoved a package of cigarettes in her face in an attempt to strike up an acquaintance. When she repulsed his advances the youth, followed by a companion walked out of the store behind her and struck her in the face, knocking her down.

As result of the blow Mrs. Florence sustained a fracture of the jaw with which she is still confined at her home. The woman said that when she regained her senses she walked a half-block and told the policeman of what had happened.

Instead of investigating her complaint, Mrs. Florence said the officer called a patrol and had her locked up for disturbing the peace.

## Assails Police Brutality



Commander Sullinger, well-known Brooklynite, is snapped as he asked a crowd of approximately 200 who gathered at Fulton street and Glenada place on Thursday night, to go to the Pennsylvania Avenue Court the following day to protest the recently alleged "slapping" of a school girl by a boro policeman. The case was put off until the latter part of July. Max Ponder, another luminary in the fight against the reported "police brutality," is pictured in the right foreground.



# MARTIAL LAW THREATS HALT LONG ISLAND TERROR REIGN

SEP 23 1940

INWOOD, L. I.—Following Governor Lehman's demand for a full and complete investigation of alleged police brutality against colored residents here and in other towns nearby, vigilante groups and police officers halted their reign of terror this week in fear of martial law being declared.

In his telegram to Nassau County's District Attorney leader in Inwood, James Stinger, Neary, the Governor let Long Island officials know that Nassau County was still in New York and not Georgia, The Amsterdam News learned.

Governor Lehman acted after receiving telegrams of protest from The Amsterdam News and several organizations. Colored residents were arrested, beaten and otherwise intimidated for several nights following the slaying of a white police officer, Charles Shaw.

The cop's slayer is still free. At the time of slaying, Shaw was accompanied by another officer, who described the victim's killer as a "light-skinned Negro."

From now on, it was decided this week, colored residents plan to use political pressure as a means of avoiding similar incidents in the future. Among those active in making the plan a success are William Clarke, a business man, and Mrs. Estelle Jones.

Rocco Chiusano, a well known leader among Italian groups, invited colored citizens to join with other minority races in seeing it "that the right man into office." Chiusano of the Inwood Democratic organization.

Traditionally, Nassau County is Republican. Most of the 25,000 colored residents have little interest in politics, however, during the past. According to Mrs. Jones, officials, all Republicans, tell them that, if they want to keep their jobs as domestics and also as WPA laborers, they must vote the Republican ticket.

## Inwood Cops Let Up on 'Brutality'

MINEOLA, N. Y. — Information from Inspector Harold King's office at Nassau County police headquarters revealed this week that no new evidence has been uncovered in connection with the slaying of Patrolman Shaw several weeks ago.

The fact that the police have eased up in their search in the towns of Inwood and Lawrence for an alleged Negro gave rise to the belief that the killer could have been a white man.

For the past two weeks, no information that it was a Negro has been arrested or a white man who committed the deed. It was revealed through reliable sources that Negroes in Inwood and Lawrence didn't possess shotguns.

In spite of the let-up by the police, colored residents of these two towns are still indignant about their treatment by the police. An attempt is being made on the part of Mrs. Emma Parks, wife of Ted Parks to be compensated by the county for the damage done to her home by the police when they arrested Parks.

A new radio, sewing machine, bed and mirror were smashed in their search of the apartment. No clues regarding the sawed-off shotgun which was alleged to have been used by the killer have been found. The police, however, failed to reveal whether fingerprints were found on the steering wheel of the abandoned car the night of the murder.

Negroes of Inwood are of the opinion that the police had

## BOY SAYS COP BEAT HIM TO MAKE HIM CONFESS HALLOWE'EN PRANK

NOV 16 1940

BIRMINGHAM, Nov. 14 (ANP) — Reveal Benning, 19-year-old Parker high student, declared this week that by beating him with a strap, police forced him to confess turning in a false fire alarm on Hallowe'en night. The lad said that after he had protested his innocence, he was taken to a back room of the police station, where Detective J. T. McFarland ordered him beaten with a black leather strap.

John H. Garner, 15, also a resident for the prank, said he heard Benning yelling after being taken into the room by the police.

Hines answered politely that he was "Father Hines," to which the copper answered: "The name 'Father Hines' doesn't mean any more to me than any other name, and I'll crack you over the head as quick as I will any other N—."

This happened during intermission. Earl Hines did not play anymore. This officer's presence on Texas avenue is the reason big name bands fail to draw at this particular dance hall, residents insist. The better type of dance lovers do not care to be abused and have advantage taken of them without cause by this typical example of southern law.

## ASK REMOVAL OF POLICEMAN FOR CRUELTY

NOV 15 1940

Earl Hines, Band Leader,  
Insulted by Indolent  
Shreveport Cop

SHREVEPORT. — (ANP) — Peace-loving citizens here of both races joined last week in condemning the brutal acts of a city policeman and demanding his removal from the force.

Captain Crockett, the strong arm of the law, who has paraded up and down Texas avenue, for years, gloats over his reputation for beating up defenseless Negroes, local residents declare.

Sunday evening, October 27, he is reported to have stopped a woman and man, searched the man, called the squad car, then shoved the man in, and though the woman offered no resistance, he hit her across the mouth with his stick and kicked her into the car. Nearly 100 Negro men were standing close enough to see it all.

Monday night, October 28, Officer Crockett encountered Earl Hines on the steps of the Plamoor ballroom, where his band was playing for a dance, and asked him his



## Youth Says Policemen Beat Him to Make Him Confess Halloween Prank

BIRMINGHAM. (ANP)—Rueal Benning, 19-year-old Parker High student, declared this week that by beating him with a strap, police forced him to confess turning in a false alarm on Halloween night. The lad said that after he had protested his innocence, he was taken to a back room of the police station, where Dt. J. T. McFarland ordered him beaten with a black leather strap.

Young Benning said he was forced to lie down on a table, and while some of the police held him, he was struck about 15 times with the strap. He then confessed the prank to avoid further beat-

## Phila. Rally to Assail Mass Police Raids on Negro Neighborhood

City Aroused Over Vicious Police Raids Which Centered in Negro Neighborhood of City

PHILADELPHIA, Dec. 2.—A mass protest meeting will be held here Wednesday at 8:15 P. M. at St. Paul Baptist Church, Tenth and Wallace Sts., against the arrest of 565 Negroes in the 20th Ward here last week.

The meeting is sponsored by the Philadelphia Council, National Negro Congress.

Speakers include Magistrate Jo-seph Rainey; Attorney Louis F. McCabe, Miss Goldie Ervin, NNC; rests.

Dr. Harry Greene, NAACP; Magistrate Elias Myers; Mrs. Mary Powers of the Community Council; Dr. Josephine Truslow Adams of the Committee for People's Rights; Dr. John Rice, of the North Philadelphia Civic Club; Sol Hymen, Phila. Youth Council; Sam Evans of the Philadelphia Youth Movement; Mrs. Edith Huxley, of the Philadelphia Teachers of Colored Children; Dr. John Rice, North Philadelphia Civic Clubs; Rev. E. Luther Cunningham is chairman.

### MASS ARRESTS

On Saturday night, November 16, police mobilized all the squad cars and patrol wagons in the district, swooped down and arrested practically every Negro in view.

Not only were places of amusement raided and every Negro there in arrested, but Negro citizens who happened to be walking in the street. Private homes were invaded without warrants and scores of Ne-

groes hustled off to jail. Sixty per- sons lost their jobs because of absence from work due to these ar- rests.

## Blame Detroit Mayor for Police Head's Bias

DETROIT. (ANP) — Ever since Police Commissioner Frank Eamans made the bold assertion that he "didn't understand why colored people object to being called 'n-----r' when they are called that in books and on the stage," a whispering campaign, emanating from several sources, has been going the rounds against Mayor Edward J. Jeffries. It is recalled that the head of the local police department made this statement in the presence of colored leaders at a conference with the mayor while protesting against police brutality on the part of some members of the police force.

### Holds Mayor Responsible

The reason for the whispering campaign against the mayor, as stated by a member of the protesting committee, is, "the police commissioner is appointed by the mayor and the only way to get rid of a bad police commissioner, who upholds brutality and has the effrontery to flaunt his racial antipathy in the face of colored leaders, calling them boys, is to get rid of the mayor."

For a long time, undue brutality on the part of the police towards colored people has been a bone of contention here, and it seems that no mayor has as yet given much consideration to the appointment of a head for that department who would attempt to curb it.

It is being repeatedly stated that colored voters helped to elect the mayor and it is believed that they can also help to defeat him.

## Confession Obtained With Rubber Hose Is No Good, White Alabama Jury Rules

So James Erwin, Who Was Charged With Killing White Storekeeper In Bessemer, Goes Free When Witnesses Make His "Alibi" Stick.

DEC 7 1940

BESSEMER, Ala., Dec. 5—A jury in Circuit Court here early Tuesday evening brought in a verdict of acquittal in the case of James Erwin, 38, charged with the killing last August at Tarper City near here, of Herbert Thomas, white storekeeper.

The jury reached its decision after hearing witness testify in corroboration of Erwin's alibi, that he was at his home, in bed and asleep at the time the slaying occurred.

Contending that Erwin had quarreled with Thomas and returning after nightfall, had shot and killed him through an open window, the prosecution introduced in evidence a "confession," the accused was said to have made and signed following his arrest. The defense countered, however, with the in-

sistence that the "confession" had been obtained by force and after officers had beaten Erwin for hours with a rubber hose between periods of questioning.

This insistence was supported by the testimony of a Negro lawyer, Arthur Shores, who said that he tried to interview Erwin three days after he was arrested but was denied permission to do so. When he finally did see the prisoner after a lapse of about a week, he added, Erwin showed evidences of having been beaten on his face and neck. This testimony coincided with that

of Erwin himself, to the effect that he had been beaten with a length of rubber hose, from dusk on the day of his arrest until early the following morning.



# Officers Fined For 'Kidnaping'

## Howard Student, 3 Companions

*Courier - 12/15/40 Pittsburgh, Pa.*

WASHINGTON, June 13—Fines of \$100 each were recommended by the police trial board recently for three white officers following a hearing of accusations that they "kidnaped" a Howard University freshman and his three companions and otherwise maltreated them. The fines were recommended despite the fact that the student, Vinton E. Cox Jr., of 1633 Third street northwest, failed to appear at the two final hearings.

The youth who testified were: Howard Thomas, 128 Rhode Island avenue northwest; Alonzo Jervay, 1711 Eleventh street northwest and Harvey Banks, 139 Florida avenue northwest.

The officers found guilty of conduct prejudicial to the department are: Theodore R. Stewart, James G. Conroy and Stephen L. Elliott. Charges of having mistreated one of the youths placed against Officer R. D. Weaver were dismissed.

### SUIT MAY FOLLOW

The case was prosecuted by Maurice R. Weeks, attorney, who has pressed for action since the alleged mistreatment in December. He asserted last week that there were possibilities that a suit for punitive damages for alleged injuries to the boys may be filed against the three officers.

According to the testimony, the officers, off duty, drove up to a corner, where young Cox and his companions were noisily discussing a football game on the evening of December 10.

The boys were reportedly ordered into the officers' auto and driven to a street near the McMillan Reservoir, not far from Howard University. They were freed with the command "to run 27 miles," the total of the football score the boys had been discussing, it was said.

### PARENTS NOT NOTIFIED

As the boys fled, one became tired and stopped. An officer is said to have gotten out of the auto which followed and kicked one of the boys four times and kicked at his companions.

The youth had been freed without being booked at a precinct and without notification to their parents.

Fining of officers for alleged mistreatment of colored persons is rare in the district.

## ATTORNEY GENERAL PROMISES 'PROBE'

Beatings and Killings Throughout Louisiana Have Aroused Indignation of Negro Citizenry.

NEW ORLEANS, La., Sept. 5—Citizens throughout the State are asking State authorities to look into and take action in brutal treatment of Negroes in several sections of the State, some of these brutalities having resulted in the death of some of the Negro victims. They are referring to the death of the Negro which occurred on the roadway near New Roads and which was whitewashed by local authorities. They also refer to the alleged beating of the Negro woman, Mrs. Bea Jackson, at a Church Point where the chief of police is accused of the brutality and of the recent alleged beating by a mob of James Smith in St. Francisville.

It is understood that Attorney General Eugene Stanley in Baton Rouge has promised investigation and action in the first two cases and an appeal is being made to him for a full investigation in the third and last case. Negro citizens state that these brutalities had ceased and lately seem to have flared up again. In the midst of fifth column activities the Negroes state that this is a very unwholesome attitude on the part of the white citizens.

# 2 Akron Parleys Flay Cop Terror Toward Negroes

*Daily Worker New York N.Y.*

NAACP and Youth Conference Attack Brutal Arrest of Innocent Man; Youth Group Urges Positive Peace Policy

*(Special to the Daily Worker)* DEC 19 1940

AKRON, O., Dec. 18.—The National Association for the Advancement of Colored Peoples and the Akron Youth Congress, in separate conferences this week, leveled an energetic campaign for the rights of Negro people and against police brutality against the Negro population of this city.

The Youth Council, at its Christmas Youth Peace Conference at the Y. W. C. A., united its demands for the rights of Negro people with its demands for a positive peace policy for the country.

The N. A. A. C. P., which drew 250 people to a mass meeting at the Second Baptist Church here Sunday night, urged a united campaign of white and Negro people of Akron to defeat the terror against the Negro population.

The meeting of the N. A. A. C. P. projected the case of young Ben-niel Finney, framed on four charges of robbery, as a specific example of the current terror. Young Finney, accused of the four robberies, said to have occurred at a time when he is known to be working, was "recognized by his voice" as a purse-snatcher by one white woman who "identified" him before hearing him speak.

### YOUTH FOR PEACE

The Akron Youth Council, at its Christmas Youth Peace Conference at the YWCA, united its demands for a positive peace policy with a call for a campaign for the protection of the rights of the Negro people against the local drive of police brutality, which started here two weeks ago.

Rix Herbert, secretary of the AYC, opened the conference with the statement, "there is no winning side in the present war because it is the people who bear the burden on

both sides." Joseph Huehler of the Barbeton CIO council presented labor's viewpoint, emphasizing the warning of the recent CIO convention that "eternal vigilance is the price of peace" and that labor must be on its toes on all questions.

The conference gave full support to a report on civil liberties which stated "there is no half-way mark in civil liberties. If, from our civil liberties structure, you take away one piece from any group, no matter how small, it will not be long before the whole structure falls upon the heads of the people."

Attorney Kelly of the N.A.A.C.P., addressing the Youth Peace Conference, explained the struggle of his organizations for equal rights for Negro people and requested aid from the AYC and other organizations in this fight.

The AYC conference went on record to participate in the present campaign for the defense of Negro rights in Akron, against police brutality, intimidation, indiscriminate arrests and beatings of Negro youth.

The most recent case cited was that of Bernard Jones, Negro youth leader and chairman of the Akron Youth Council, who was brutally slugged by police a week ago for the "crime" of looking for an address in a white neighborhood at night.

The AYC conference closed with a panel meeting on jobs, education, civil liberties and peace. Plans were

adopted to involve all Akron youth people around a campaign for the American Youth Act and the defense of the rights of draftees.

DEC 19 1940



## POLICE BRUTALITY

POLICE brutality is a bad thing in a police department.

Negroes suffer most in cities and communities where police officers act as judge, jury and the punisher. One of the first things that a police officer should be taught is how to perform his duty when making arrest, when on duty and when off duty. So many police act as if they have a right to beat and kick citizens around just because they wear shining badges. Anybody can wear a badge, but anybody cannot be a police officer. Another thing that a police officer should be taught is that there is a big difference between the "Pretty Boy" Floyd type of law violator and the traffic violator. So many officers use the same method in making arrests on traffic violators as they would on "Killer Burke" or any other public enemy, especially when the traffic violator is a Negro.

Police officers are paid by the citizens to protect the city and not use Hitler's methods in enforcing the law. Our attention is called to a recent incident over in Missouri when a noted Negro lawyer was beaten by two white officers. Many of our Kansas citizens must go to and from Missouri for business reasons, pleasure and many other things. They would like to have the same protection of the law while in Missouri as they get at home. So we are calling upon the Chief of Police, business places in Missouri, and others who have a voice in the matter to put on the soft pedal and bring an end to police brutality on Negroes.

Washington (D. C.)

Post

## Two Policemen Indicted on 9 Attack Charges

Policemen Henry J. Martin, 40, and James E. Stabler, 29, of the Third Precinct, were accused of assault in nine indictments presented in the District Court before Justice F. Dickinson Letts Tuesday.

The policemen were accused last week of having roved their beat Labor Day night, committing unprovoked assaults on colored persons. They were suspended and the matter referred to the grand jury which indicted them yesterday. They pleaded not guilty a few minutes after being indicted and posted \$1,000 bonds for their appearance for trial. **SEP 12 1940**

The indictments were among 50 presented before Justice Letts.

Those indicted were:

Receiving stolen property—Samuel S. Yaffe, 32; James E. Gray, 38, colored; Herman Lee Davis, 33; Clarence H. Thomas, Jr., 21, colored; Mildard Seliman, 34, colored; Philip T. Racciatti, 19.

Housebreaking and larceny—John W. Fugitt, 26; Anthony T. Petro, 23; Philip A. Racciatti, 18; Carmen R. Hubscher, 18; Raymond A. Varnell, 22; Emmett W. Wal-

ler, 25; Gover C. Eustace, 40; James R. Davis, 29, colored; David H. Parker, 25; Karl F. Brodt, 19; James Earl Moore, 21, colored; Phillip Cook, 26, colored.

Housebreaking—John Johnson, 26, colored.

Unauthorized use of automobile—John Johnson, 26, colored; Rufus Davis, 29, colored; Jack D. Vaughan, 21, Heroert C. Brensinger, 19; Alexander J. Colvin, 26; William F. Colvin, 24; David Dashields, 27, colored.

Grand larceny—Freddie S. Taper, 19, colored; Benjamin H. Brown, 18, colored; Lee Hill, 19, colored.

Robbery—James Carl McLamb, 21; John Dalner Benton, 19.

Selling marijuana—Henry Turner, 27, colored.

Sale and possession of narcotics—John Henry Hatcher, 26, colored; Horace Wiloughby, 21, colored; Cecilia Mary Smith, 25, colored.

Getting money or property by false pretenses—Claris K. Krooler, 20.

Forgery and passing a forgery—Edward T. Haislip, 32.

Running a lottery and having numbers tickets—John McConnell, 40.

Setting up a gaming table—Artin A. Bell, 62; Sam Forake, 45.

Having an unregistered still and having untaxed liquor—Joseph Henry Mills, 63, colored; Samuel Sloan, 42, Salvatore Carta, colored.

Rifling the mails—Albert Walker, 48. Manslaughter—George Lindsay, 50, colored.

Assault with dangerous weapon—Pearl Mitchell, 32, colored; Henry J. Martin (seven indictments); James E. Stabler (seven indictments).

Assault—Henry J. Martin; James E. Stabler.

The grand jury dismissed these charges: Assault with dangerous weapon, King Simmons, 26, colored, running a lottery and having numbers tickets, James L. Bolden, 38, colored, and Eugene Ross, 48, colored; grand larceny and embezzlement, Paul L. Schnopps, 31.

## Accused Of Hitting Boy, White Officer Is Freed By Magistrate McBride

Despite the sworn testimony of said to have been involved and who eye-witnesses that they saw a police officer were not present, he subjected to a man assault a 14-year-old boy after strong rebuke from their superiors. police had fired a number of shots. According to testimony, the incident near 20th and Bainbridge streets on Sunday started when Dixon, Robinson July 9, the policeman charged with and Martin were coming from Mc-the assault was discharged on charge-Coach Playground, 17th and Fitzwater es of assault and battery by Magis-streets, and accidentally threw a pebb- trate McBride, substituting for Mag-ble which struck a bench in front of lstrate Joseph H. Rainey, at the lat-the police station. Sitting on the ter's court on Broad street near Alle-bench was Patrolman David James, gheny avenue, last Thursday, who chased the boys.

Testimony given by the witnesses. Officers in police cars saw the chase, Mrs. Ethel Woodson, a beautician of and joined in, firing several shots, one 708 south 20th street, and, Julius of which broke the Marion Tea Room Bond, of 1937 Pemberton street, was window, witnesses said. Dixon and to the effect that Patrolman Young, Robinson were caught at 20th and white, attached to the 1st District sta-Bainbridge streets, and Martin was tion at 20th and Fitzwater streets, re-apprehended at his home.

Repeatedly struck by Randolph Dixon, Needed Medical Attention 3rd, 188 west Price street. German- The boys were taken to the station, town, behind the head after a chase but were not slated, according to re-through the streets punctuated by ports. Neither were they given a gunfire.

Witnesses Clear Police

The officer denied the charges, and Young Dixon, who is the son of was substantiated by two police wit-Randy Dixon, editor of the Philadelphia incident. James Holland, of 2001 newspaper, needed medical attention Bainbridge street, said he saw the Dix-when he arrived home, it was stated, on boy caught, but said that Young He was treated by Dr. Horace R. was not on the scene. McDowell Johnson, physician, of 1355 Kerbaugh Quattlebaum, of 2141 Catharine St., street, testified that Dixon's case gave testimony similar to Holland's. history indicated that he had been

Gasps of disapproval were audible struck and severely shocked causing him to suffer incessant nose bleeds. in the crowded courtroom when Mag-istrate McBride discharged Young. The hearing was scheduled to be despite a plea by Raymond Pace Al- heard by Magistrate Rainey, but he exander, who represented the Dixon was not present. Magistrate Waddie boy, that the policeman be held for Bell also sat during the hearing, but the final decision was rendered by

Alexander contended that the tes-Magistrate McBride.

timony of Dixon and two other boys involved, Leonard Robinson, 13, of 2025 Fitzwater street, son of the late Detective William Robinson, and Richard Martin, 10, of 2023 Pemberton street; and other witnesses including Mrs. Woodson, Bond and John Cox, of 2041 Pemberton street, proved that a prima facie case of assault and battery had been established.

Shooting Unnecessary

McBride, said, however, that he believed Young's story, and that the testimony of the police witnesses further substantiated it. He also added, that despite police denials of gunfire, he believed shots had been fired and thought such action was unnecessary and unwarranted.

Alexander then urged that Patrol-



# Lynch Terror of Deep South Strikes Within Hour's Ride of New York City

SEP 1 5 1940

By Lawrence Emery

Lynch terror of the deep South is on the march hardly a stone's throw from New York City.

In the little towns and villages of Nassau County, Long Island, brutal unprovoked violence against Negroes rages at this moment in an officially incited atmosphere of hatred and fear.

Inwood, less than an hour away from Union Square by the Long Island Railroad, is the concentration point for this wave of assaults and arrests. There, almost nightly, lynch law in the uniform of the Nassau

County police drives Negroes from the streets, clubs men and women indiscriminately, throws innocent persons into jail, and terrorizes children of school age.

And in the wake of this "official" lawlessness is a wave of unofficial acts of depredation against Negro citizens, Negro homes and Negro places of business.

The police, by their drive, have created a situation in which men and women of both races fear to walk the streets at night.

SEP 1 5 1940

Major victim of the terror to date is

Ted Parks, 43 years old, who today lies suffering in a hospital cot in Mineola with a fractured jaw and concussion of the brain—injuries received after he had been arrested and "questioned" by police in connection with the murder last Friday night of Patrolman Charles H. Shaw.

Police later admitted that there was no proof of evidence against Parks.

How many more such victims there will be while the police are on their rampage no one knows. But everywhere one turns in Inwood there are prominent posters, in stores and shops, on walls, on telephone poles. They read as follows:

"\$2,500 REWARD will be paid by the Police Officers and Patrolmen's Association of the County of Nassau, N. Y., for the arrest of a NEGRO who at or about 3:15 A. M., Friday, September 6, 1940, at Woodburgh, L. I., N. Y., murdered Patrolman Charles H. Shaw by shooting him in the face and chest with a shotgun at close

range. Any information furnished will be treated confidentially."

The reward notice is signed by the Honorable Edward J. Neary, District Attorney of Nassau County.

Two things are noteworthy about this poster. The word NEGRO is written in prominent capital letters. Police say the murderer was a Negro; there is no other proof of his race. Whatever the race of the killer, the police are now after Negroes.

Second noteworthy thing is the promise to pay a reward for arrest only. Rewards are usually paid for information leading to a conviction.

In this manner the poster itself is a calculated provocation against the entire Negro people.

## HOUSE RANSACKED

Mrs. Emma Parks, wife of the man injured at the hands of the police, lives in a three-room flat at 208 Merrill Place, Inwood, with her husband and daughter Rosalie, 13.

Yesterday she appeared weary and worn, and spoke lowly, almost diffidently, of the arrest of her husband at his junkyard in Far Rockaway last Tuesday, and the subsequent raid upon her home by police.

"They came here about 10:30 at night," she said. "I can't tell how many of them there were. They had my husband handcuffed, and his face and jaw was all swollen. They set him down in the kitchen, and made me sit in the bedroom, and they told us not to look at each other.

"Then they started ransacking the house. They turned everything upside down. They pulled out drawers and dumped clothes, everything, on the floor. They even spilled out all my kitchen flour on the floor."

Some of the police then took both Mr. and Mrs. Parks to Mineola where Mr. Parks was locked up. Mrs. Parks was questioned and released.

## HOME A SHAMBLES

When she returned, she found that the police who had remained behind had made her home a shambles. "Come," she said in a tired voice, "I'll show you what

they done."

"I've always tried to keep a clean house," Mrs. Parks said, "but it's a mess now."

The Parks have been married 23 years. They have lived in their present home for eight years. A friend of the family described Mr. Parks as "a fine man. I've known him for eight years, and he is a respectable, solid man who loves his home. I've never known him to do anything outside the law."

"He's always looked after his family," said Mr. Parks. "He works hard. Maybe we don't have plenty, but he always kept us eating."

SEP 1 5 1940

## TOWN IS TENSE

Mrs. Parks had seen her husband that morning in the Mineola hospital. "He said he felt pretty good," she reported, "but he didn't look so good to me. He didn't talk much, though. They got a policeman by his belt—close enough to hear everything said."

Outside in the town the tenseness could be felt. A block away from the Negro community in which Mrs. Parks lived a crowd of young white boys stood, ominously quiet and eyeing a similar group of Negro boys down the street.

On the corner of Wanser and Clinton Sts. is the Blue Moon Inn, one of the most popular gathering places in the Negro community.

A group of persons was standing on the corner. Suddenly two police scout cars turned into the short street from opposite ends, and both stopped at the corner.

Some in the group began to walk away. A tall Negro among them said: "What are you leaving for? What do you let them scare you for? Stay here. You ain't breaking no law."

## SAYS WOMEN BEATEN

Some hesitated, but most walked on.

One of the officers was a sergeant. "Naw," he said in answer to my question, "there ain't been no trouble here. Everybody's

behavin' themselves. All we do is tell 'em to move on. If they don't, we move 'em. Sure, there's been some arrested for disorderly conduct, but that's usual."

Inside the Blue Moon the silent but bitter indignation could be felt like a tangible thing.

Thomas Williams, the tall Negro, talked quietly, but his voice was strained. "They been pushing us around for a long time. Now they're beating and kicking our women. They're setting the whole town against us. Looks like they're out to kill somebody; they're working hard enough."

"They come in here the other night," another Negro said. "I heard them argue with Robert Watson, he's the owner. I heard them say, 'Listen, well come in when we like. And well shoot first and ask questions later.'"

## SCHOOL BOYS CLUBBED

The people in the inn cite endless examples of brutality.

Last Tuesday night two boys and three girls, all high school students, were standing on a corner. A scout car drew up and both officers jumped out, one with his club drawn, the other with his club. "Get going, you G— d— n—," they said. One of the boys didn't move fast enough and was clubbed.

Three persons told how on Saturday night a man they know only as Louie, very small and very old, was clubbed because he didn't jump when he was told to move.

It is estimated that nearly 2,000 Negroes live in Inwood. Despite the terror, despite the provocations against them, they are determined to defend their rights and to protect themselves.

Last Thursday a delegation of 17 young men from the West End Republican Club and the Dunbar Civic Association went to Mineola where they presented to police authorities a written demand for protection.

Charles Bibbs, who was one of the delegation, reports that authorities assured them that they will "cooperate in preserving order."

"But," said Bibbs, "we'll have to see what that means."

"Yeah," said one, "we'll see what that means. This is Nassau County. This is a different world. This isn't in the United States."

## Quick-Trigger Policemen

The life of a policeman is certainly no bed of roses, and in dealing with criminals and suspects we know he cannot be expected to use kid gloves. Understanding as thoroughly as we do the problems of police officers, we have always hesitated to condemn them for their action in effecting arrests, even when it has been apparent that they have been high-handed in doing so.

In accepting the job as a policeman, a citizen must realize he is engaging in a precarious employment. His task is to protect the innocent with the same zeal and enthusiasm as it is to apprehend the guilty. As a part of his regular equipment, a policeman carries a service revolver, a blackjack, handcuffs, and a flashlight. These articles are given him to be used for protection of himself and all persons or property entrusted to his care. He is to use them whenever necessary to enforce the law.

Certain policemen in the Harlem area have recently reversed this policy. They have used the gun on the slightest provocation, and in most instances have themselves been the agent provocateur.

At least three Harlemites have been victims of "quick-trigger" policemen during the past fortnight. It was hasty pistol-play that caused the unfortunate death of Patrolman Johnny Holt, who was slain by a brother officer in a hallway a year ago.

It is no compliment to New York's finest that they use their guns instead of their heads. Meanwhile, we believe Commissioner Valentine ought to investigate the flagrant use of firearms by policemen in this area. Of the most recent shootings, our files show one of the victims was innocent of any misdoing whatsoever; one was involved in a minor assault, and the other accused in an attack case.



# ATLANTA COP INDICTED FLOGGINGS AS EXPOSE OF 'TORTURE' 50 TIMES IN DETAILS BRINGS ACTION 2 MONTHS

By J. C. CHUNN  
Staff Correspondent

ATLANTA, Ga., March 21.—"He took an iron . . it looked like a soldering iron. He stuck it in a plug in the wall, then he struck at me with it as he forced me to stand with my back to the wall. I threw out my arm to ward off the blow. The iron struck my arm. When the hot iron came off my arm, the skin came off."

"Then he poked the hot iron into my neck and against my lips."

"I didn't want to get burned up any more, so I told him I was the one who broke into the gym."

The story above, part of that told to a county and federal grand jury last week by Quinter South, 16-year-old victim of Atlanta police brutality, so outraged the sense of decency of courts, newspapers and social-minded citizens here that it set in motion the most exciting and thorough-going campaign for a clean-up in more than a generation.

## GRAND JURIES INDICT DETECTIVE

It also resulted in indictments being returned against W. F. Sutherland (white), a city detective, by both the Fulton county and the federal grand juries.

Atlanta has had a long series of floggings of blacks and whites. Some of them have resulted in fatalities for both whites and blacks.

It took the torture of young South and the courage of his white employer, Mrs. C. E. Harrison, to bring the proper forces into action to check the rampant wave of police torture and private punishment.

## TORTURE PICTURES SHOCK READERS

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The young student of David T. Howard high school had been arrested on suspicion of having joined two other boys in the theft of a basketball from the gymnasium of Clark University. South denied any connection with the crime.

Nevertheless, he was kept in jail over night and fingerprinted. His arrest occurred February 26.

## HEATS IRON, BRANDS BOY WITH IT

The following night, according to the story he told the grand jury, his chief tormenter, Sutherland, took him into the fingerprinting department of the prison and vowed that he would make him tell the truth.

It was then that he ordered the boy to stand against the wall, took an iron used by photographers to dry proofs, heated it and burned the skin off South until the youth confessed in order to prevent more torture.

"After he had finished burning me," South told the grand jury, "he took me downstairs and had a man write down what I said on a typewriter."

After school and on week-ends, South does odd jobs about the

house of Mrs. Harrison. She went to see the boy in jail. She saw the wounds on his arm and neck.

"What happened?" she asked.

The boy, fearful of more punishment, was reluctant to tell the story at first. Then he told Mrs. Harrison everything.

## WHITE EMPLOYER FORCES ACTION

This white woman, wife of an executive of the Southern Bell

Telephone company, immediately went to work.

Poor whites had been beaten, but their voices had not carried far enough to be heard.

Poor Negroes had been beaten. Their cries had also fallen short.

But this white woman knew how to get action. Judge Garland Watkins was told. He immediately ordered a grand jury inquiry. County Solicitor Boykin was notified. He assigned a special detective to make an investigation. Federal Judge Marvin Underwood was told. He saw in this and other floggings violations of the federal laws.

The wheels of justice raced into action.

The Atlanta Constitution, directed by its liberal editor, Ralph McGill, took up the fight. This latest example of police brutality were emblazoned on page one and a three column picture of the torture victim run on page two. Editorials demanded action.

Judge Underwood, long known for his courage and fairness, delivered a notable address to the grand jury and defined the terms under which the federal laws had been violated.

Sutherland was placed under a \$500 bond after the Fulton county grand jury had returned a true bill against him. The bond under the federal indictment was set at \$2,000.

BIRMINGHAM, Ala., May 23 — At least fifty other instances in which Negroes have been beaten by police of the town of Fairfield, located 17 miles from Birmingham, were recalled in testimony before the Fairfield City Council and by local citizens this week. The entire police force admitted that beatings for arrested Negroes were the general practice.

Councilman W. E. Brown, chairman of the Fairfield Safety Committee, who voted against removing the three police officers connected with the Henderson killing, said that he was in favor, instead, of ousting the whole Fairfield police department because he, personally, knew of fifty such beatings at the jail in the past two months, and that Chief E. L. Allman knew of all of them.

Desk Sergeant W. G. Cook, in whose office the flogging in the race, black-jacking, and fatal shooting of O'Dee Anderson, of West Birmingham, occurred last week, said he had seen Chief E. L. Allman, himself, personally administer beatings to Negroes arrested even on suspicion. Cook said that only recently Allman beat up a colored woman while he was looking for whiskey on a raid. This Allman denied. Cook further said that Allman had one Negro — Will Pugh, now serving a forty-five-year sentence for allegedly molesting white women — whipped at least two or three times a week with a leather strap, and that this was the purpose of the strap. Cook said they kept Pugh in the Fairfield jail for a period of time to allow his wounds to heal before they transferred him to the Bessemer jail as they were supposed to do. Allman tried to justify Pugh's beating at the council hearing by the "white woman" charge.

Cook also added that he had seen Lacey Alexander, a county deputy, administer whippings to race persons in the Fairfield jail.

Policeman Tom Nelson, who fatally shot Henderson after black-jacking him and letting Nelson's friend, M. M. Hagood, lash him in the face, said that the chief had whipped a race man named Wolfe when Wolfe wouldn't confess to some burglaries in which another

man was implicated.

Nelson also said that W. R. Sims, a special policeman for the Tennessee, Coal, Iron and Railroad Company, once was allowed to strike a colored man again and again, repeatedly, with a long flashlight, until the flashlight was broken in two, while the Negro was in the custody of Fairfield police in an automobile.

Recollection was also made of the beating of a young Negro, who lives at Westfield Village, owned by T. C. I. and R. R. Company. This young man was picked up by Fairfield officers on a false charge, was carried to the jail, and was beaten unmercifully.

condition from the assault, a badly bruised arm, possible kidney rupture and impaired sight in one eye. Her husband, Clint Jackson, is a member of CCC Co. 2441 at Church Point from whence the pair was coming when the officer attacked Mrs. Jackson.

# Ask Probe Of La. Cop's Brutal Attack On Woman

nesses to the brutal assault are being sent to the attorney general with a synopsis of Mrs. Jackson's condition before and after she was interred into Charity hospital, Lewis said. He said that like data would, murder of Booster Williams upon request from its president, several months ago near New Roads, Atty. Harold N. Lee, be sent to the La., took steps to foster a similar League for the Preservation of Constitutional Rights. The league is an organization made up of local white lawyers who are particularly concerned with eradicating police brutality and have in many instances interceded in other issues involving Negroes.

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**Ask Probe Of La. Cop’s Brutal Attack On Woman**  
Defender 8-24-40

NEW ORLEANS. — Leon Lewis who instigated the state’s attorney general’s investigation into the highway murder of Booster Williams several months ago near New Roads, La., took steps to foster a similar action into the case of Mrs. Be Jackson who is now confined to Charity hospital suffering from a severe beating and assault by Chief of Police Luke Wimberly of Church Point, La., on the night of July 31. Statements from prominent persons of both races, residents of Church Point, who were eye witnesses to the brutal assault are being sent to the attorney general with a synopsis of Mrs. Jackson’s condition before and after she was interred into Charity hospital, Lewis said. Chicago, Ill.

He said that like data would, upon request from its president, Atty. Harold N. Lee, be sent to the League for the Preservation of Constitutional Rights. The league is an organization made up of local white lawyers who are particularly concerned with eradicating police brutality and have in many instances interceded in other issues involving Negroes. Mrs. Jackson is in a critical condition.



## Mistreatment By Officers Is Claimed

Two Fulton county residents Friday said they had been mistreated while making a return trip through DeKalb County, Ga.

Ottis Shelmon, businessman and Boy Scout Committeeman, and Moses Gates, both of Scotts Crossing, said they were returning from Jackson, Ga., in Shelmon's recently purchased car when two DeKalb county officers stopped their car and arrested them, declaring them to be "smart n-----s of Fulton county" and warning that DeKalb county didn't want any of them or any others passing through it.

Shelmon said that he and three others riding in his car were forced to walk several miles along the highway while the officers took Gates, who was driving at the time, and his car to Decatur, leaving them to walk home. The officers later returned and arrested Shelmon and lodged him in jail for the night. Shelmon said the policemen would take no explanation from him that the car in which the five were riding was his and that they had violated no law.

Released after Shelmon was taken into custody, Gates informed Shelmon's wife of her husband's plight. Immediately, officials of the firm which sold the car to Shelmon got to work and threatened to have their lawyers at the trial Friday morning. Early Friday, Shelmon was released and told that there were no charges against him. He got his car which had been parked in uptown Decatur and went home.

Friday, Shelmon said he would seek action against the officers who arrested him and the others without cause and took his property. Shelmon is a steel mill employe. He said he would take his case before the National Association for the Advancement of Colored People.

# Mayor And Council BIRMINGHAM ORGANIZES Investigate Case TO DISCOURAGE RECURRENT

BIRMINGHAM, Ala.—(SNS)—

One of the most unusual cases of "wanting to do what is right" in the history of the nation was under consideration by the Mayor of Fairfield in whose jail a Negro was shot after having been beaten by several officers of the law last Thursday morning.

Officer Tom "Buck Jones" Nelson who shot to death the 24-year-old steel worker, meanwhile was at liberty under \$1,500 bond after being arrested on a charge of first degree manslaughter.

Questions of what to do with others who took part in the "lynching by the law" were scheduled to be considered by the Fairfield City Council at 10 p. m. yesterday at a meeting called by Mayor C. N. Gilley who will give a report to them of a personal investigation.

## TWO OFFICERS IN JAIL

Officers W. G. Cook and W. C. Glenn who were in the jail at the time and who were said to have participated in the beating as well as M. M. Hagood who was permitted to beat O'Dee Henderson, the slain man, will be given consideration by the Council for their part in the tragedy which has shocked the entire community.

Following the verdict by Coroner J. T. McCullum, that required three days, Solicitor Arthur Green drew up a warrant charging "unjustifiable homicide." The Coroner failed to base his verdict on the surrounding fact in the beating that preceded the shooting, stating that he had not heard of the beating. His decision, he said, was based on the premise that an officer may use his gun only when his own life is threatened.

Solicitor Green, however, has received reports that Henderson was severely beaten before he was shot. D. M. Flournoy, who said he stood at the Police Station door while it happened, said he saw the Negro beaten with a blackjack, rubber hose and leather strap while he sat in a chair.

## PLAINTIFF BEAT MAN

He said he saw M. M. Hagood, a white man who had the Negro arrested after an altercation, beat the Negro with a leather strap and Officer Nelson hit him with a blackjack. Mr. Flournoy said he saw a

motorscout beating the Negro with a rubber hose.

Officer Nelson contends that he shot the Negro after he made a dash to escape from the Police Station and began scuffling with him when he sought to block the escape.

Negro citizens meanwhile continued their interest demanding that full justice be done by the Mayor whom they supported in a recent election only after a promise from him that he stop police brutality and reminded him of a similar death in the same jail three years ago.

Colored citizens state that the bullets entered the chest of the slain man, pointing out that testimony of witnesses (white and colored) show that the youth had been whipped into submission by arresting officers as well as the white man and was shot only after the officers had whipped themselves into the atmosphere of a "mob" seeking blood.

## Police Murder of Popular Fairfield Lad Arouses Negroes and Whites to Fight For Civic Decency—Plan Complete Investigation of Murder, Beatings.

BIRMINGHAM, Ala., May 23—Colored citizens in the entire Birmingham district were uniting their forces to stamp out all police brutality, following the slaying of O. D. Henderson, 24-year-old sheet mill employe, by a police officer

on Thursday, May 9th, in the Fairfield jail. The Fairfield community of 9,000 Negroes although a separate municipality adjoins Birmingham and has for many years suffered the brutality of a police force and petty officials.

Henderson was slain following beatings by three officers and a private citizen after his arrest on charges growing out of bumping into a fellow-white mill employe. His death brought to light many similar cases of inhuman brutality on the part of Fairfield officers and a demand by both white and colored citizens that an investigation be held to determine the fitness of the entire police department.

An effort on the part of Mayor C. N. Gilley who sought the political support of colored voters in a recent election to secure dismissal of all officers who participated in the beatings and slaying failed by a vote of five to four by his council although the slayer is under suspension for 30 days and has been charged with first degree manslaughter and placed under \$1,500 bond.

## ASK STRONGER INDICTMENT

The Fairfield Civic League last Tuesday took charge of the case and employed Atty. A. D. Shores, brilliant young Negro attorney, whose activity in securing the right to register and vote for Negroes is widely known and Atty. George Ross, veteran white Bessemer, Ala. lawyer, who is famed for his prosecutions. The lawyers were instructed to secure the arrest of all who participated in the slaying as well as a change from manslaughter to first degree murder for the officer who fired three bullets into the helpless youth's heart. The Birmingham branch of the National Association for the Advancement of Colored People last week entered the case and held a mass meeting last Sunday with Thurgood Marshall, New York, special counsel addressing the gathering. A similar meeting was held by the Southern Negro Youth Conference and several by the Fairfield citizens themselves.

Feelings ran high in the small

community with Negro leaders stating that the slaying was the "straw that broke the camels back" yowing that no more disrespect or brutality would be tolerated in the future. They recalled a similar shooting in the same jail less than three years ago when the facts were never made public. The major portion of a \$1,000 legal fund was said to have already been raised by fellow-workers of the slain man.

The open Council hearings were the most unusual and dramatic ever held in the entire South with officers telling on each other and revealing beatings of Negroes as a common practice in Fairfield and in all jails.



# OFFICER INDICTED, SUSPENDED BURNING-BEATING OF SCHOOL BOY

## Grand Jurors Given Evidence In Another Local Brutality Case

Quintar South Identifies W. E.

Sutherland as Torturer; Find

'Stolen' Ball Was Given Boys

W. F. Sutherland, plainclothes officer, accused of burning a 16-year-old David T. Howard junior high school student to obtain a confession to an alleged theft, was indicted Friday morning on an assault and battery charge by the Fulton grand jury.

In the meantime, Police Chief Hornsby made plans to present to the grand jurors evidence in another alleged brutality case in which Officers Jim Galvin and J. D. Adams are accused of beating William Humphry, local taxicab driver.

The grand jurors received letters and resolution from organizations and individuals demanding that a thorough investigation of methods of handling prisoners be made.

Humphry, who was bound over to the county courts under \$100 bond following a hearing in Recorder's Court, said Officers Galvin and Adams beat him on the face and head with a short piece of rubber hose.

### OFFICER POINTED OUT

Quintar South, an eighth grade student at David T. Howard junior high school, Thursday night pointed out Sutherland as the officer who burned him on the left

arm, chest and throat with a hot iron.

The alleged incident occurred in a small room of the Police Identification Bureau, used chiefly for drying photographs and questioning prisoners.

Police Chief Hornsby suspended

Sutherland from duty.

"Owing to the seriousness of the charges, I do not think Patrolman Sutherland should remain on duty while they are being investigated. I have suspended him and am going to the bottom of this thing. If such charges are true, somebody should go to the chain gang," Chief Hornsby declared.

### WHITE WOMAN 'BROKE' CASE

Light was thrown on the case by Mrs. C. E. Harrison, wife of a Southern Bell Telephone Company executive, who employed the boy as a yard worker on Saturdays. She visited him in his cell and saw the wounds, which the youth claimed were the result of burns he received at the hands of Patrolman Sutherland.

Chief Hornsby said Friday that he was conducting a personal investigation into the alleged crime.

Sutherland's bond was set at \$500. Sutherland's partner, Officer M. R. Dodd, whom South said sat in the next room while the torture took place, was not named in the indictment.

Sutherland denied that "any one burned the boy."

### CHARGED WITH THEFT

South was arrested on the night of February 26, on the charge of a theft of a basketball from the gymnasium of Clark University. He was held on suspicion until February 28, at which time the confession was obtained. He was then indicted and turned over to juvenile court authorities.

South, who resides at 39 Thayer Avenue, was arrested along with John Biggs, 16, of 79 McDonough Boulevard, and Alphonso Jamerson, of 7 Brown's Alley, after a boy listed by police as Harold Williams named them as his companions in a theft.

South identified both officers at a lineup held Thursday night dur-

ing an investigation ordered by Juvenile Judge Garland Watkins. The iron that South charges the officer applied to his body is an electrically heated instrument similar to a soldering iron. It is used in photographic process by identification Bureau officials.

### BOYS GIVEN BASKETBALL

Athletic officials at Clark University stated Friday that they gave the boys the ball they were charged with stealing. The youths are members of a basketball team that practices at the Clark gym.

After seeing the burns on South's body, Mrs. Harrison contacted the Fulton grand jury and had South's written statement presented to the body. After the grand jury agreed to investigate, the identification session at the City Jail Thursday night was arranged.

### SLAPPED, BEATEN, BURNED

Probation Officer J. N. Starnes, assigned to investigate by Judge Watkins, said the boy told him the officer . . . "kept asking me if I broke into the gymnasium and I kept saying I didn't . . . then he backed me up in the corner and slapped me around and beat my head up against the wall. . . then he picked up this thing that looked like a soldering iron and plugged it in the wall and stood there with it in his hand and said now I was going to tell the truth. . . "I told him I had told him the truth all the time.

"When he hit me and I threw up my arm, the hot iron touched my arm and when it came off, the skin came with it. I didn't holler, though, and he pushed it against my neck. I didn't want him to burn me any more, so I told him all right, I was one who helped break into the gym."



# As Youth Described Police Torture



*Healy wired 3-9-40*  
Quintar South, 16, of 39 Thayer Avenue, Southeast, is shown in the Juvenile Detention Home as he described to Emel Scott, the "hot iron" torture he charges was inflicted at police headquarters by Detective W. F. Sutherland to make him "confess" participation in the theft of a basketball from Clark University. Inflamed sores were found on the boy's neck, chest and left arm. Officer Sutherland was suspended. Coach Ralph Robinson of Clark Friday denied that the hall had been stolen. (SNS Staff Photo.)

## BRUTALITY ON NEGROES BY HIGHWAY PATROLMEN

The increasing assaults made on Negro citizens on the highways in certain sections of this state should be investigated by both the local and state inter-racial committees and state authorities. It has almost reached the point that when Negro motorists, especially if they are in decent looking cars, will be beaten and jailed before they reach their destination or return home. Many cases of such brutality and injustices are never brought to the attention of the public. The victims oftentimes plead guilty to speeding, drunkenness, or whatever the charge is, pay the fine and go on their way.

If a Negro happens to be an employe of or driving for some white person, well-known and can prove his identity, he usually pays whatever cash is on his person, be it small or large and is told to "go ahead."

Included in the victims of highway brutality on the part of patrolmen are some of Texas' most outstanding citizens, persons whose character and reputation are unquestionable. They are law-abiding citizens.

Sometime ago Dr. G. L. Prince, of Galveston, president of the National Baptist Convention, was slapped, cursed and abused by a highway patrolman. Dr. Prince is well-known, not only in Texas, but throughout the nation, and urges the citizens from his platform, to respect the law.

Following that incident, Prof. A. W. Jackson, secretary of the General Baptist Convention of Texas, was stopped, arrested and made to pay a fine on the highway near Conroe.

A most recent report of this brutality was made this week when Carter W. Wesley, Houston newspaperman, told of an assault on him by highway patrolmen on Highway No. 75 near Spring in Montgomery County. Mr. Wesley, who was driving a new Dodge, was charged with waving at some white man in a car. And when he denied this charge, he was beaten, kicked and stomped by two policemen, carried back to Conroe about twelve miles, booked for speeding, resisting arrest, reckless driving and kept in jail for 24 hours despite the efforts of his attorneys to effect a bond of \$500 in each charge.

Such outrages of injustice, on the part of highway officers, if permitted to continue on helpless Negroes, will soon be practiced on whites and might become the standard by which our law enforcement program is measured and respected. It is our belief that such actions do not represent the better class of whites. It is the duty of Negro civic and religious organizations to make a study of these miscarriages of justice and present the facts to that group of white citizens and organizations who are always ready and willing to help Negroes get their due protection under the law as other citizens.

We should get together as a group and raise the necessary funds to have the guilty parties brought to justice.



# Following Suspension, Arrest, Grand Jury Acts with Dispatch

*Washington, D.C.*  
*Washington Tribune*  
*9-7-40*

Two uniformed officers of the Third Precinct who did a blitzkrieg through Snows Court on Monday night of which even Nazi barbarians could be proud, leaving bruised heads, backs, and legs in their wake, were presented to a special grand jury immediately after being suspended, arrested, and charged with assault all on Wednesday.

The speedy presentment was the result of a counter-blitzkrieg set in motion by Dr. E. F. Harris, president of the Lincoln Civic Association, aided by Inspector Edward J. Kelly who waded through Snows Court on Tuesday night and rounded up reluctant witnesses.

## Called Up Early

Previously, Dr. Harris had obtained statements from several complainants but when Inspector Kelly ordered a Third Precinct detail lined up for identification on Tuesday afternoon, none of those allegedly beaten would point the finger of guilt.

The outrage came to public light on Tuesday morning when one or two timid souls in the little neighborhood called Dr. Harris at 7:30 o'clock and told of the bashed heads and bruised bodies, although there had been no disorder or provocation.

He called Lt. Robert Barrett, acting captain of the precinct, and inquired if there were arrests indicating the cause of the trouble. There were none, neither was there a report of any trouble. Informed of the incident, Lieutenant Barrett notified Inspector Kelly.

## Chased from Bed

In the meantime, Dr. Harris began seeking witnesses. According to their story, some of the things done by the two officers in their invasion of Snows Court were: threatened three women, sitting across the vacant lot toward K Street, Monday; beat, kicked, and chased one man from his home in

Plater, who has been ill a long time in hospital; saw Robinson beaten and chased out and a cut over his eye. Robinson rooms at Plater's home.

Sylvester Palmer, 2403 I Street, said he was walking through court when officers came and asked where he was going; when told, one of the officers kicked him in side and back; he ran when ordered to do so. *9-7-40*

## Awakened by Dog

William H. Anderson, 2405 Snows Court; awakened by a dog barking, one policeman hollering at the dog and sounds around the side of the house as if some one were being beat; put on clothes and went out; saw Leroy Lomax hold stomach and shoulder; took him to Emergency Hospital; said he also saw attack on Robinson and Palmer.

Althea Ware, 2425 Snows Court, was standing in front of 920 Snows Court, saw William Jackson, a man named Black, and Lomax talking; one officer struck Black with stick across the back; the other struck Jackson; dog began barking and officers struck dog on head with his billie; Lomax tried to get out of way and both policemen struck and knocked him down; Lomax tried to get up and officer kicked him in face; he got up staggered into home of William Anderson and staggered out; Marie Saunders and Beatrice picked Lomax up and took him home; saw Palmer going through the court when he was attacked.

## Threatens Mother

Mrs. Ware said further that she had her one-year-old child with her and that she is pregnant, nevertheless, one of the officers told her to go home and motioned as to hit her with stick.

Callie Campfield, 838 New Hampshire Avenue; saw two officers get out of a car, not a police car; they approached and hit him on calf of leg;

Clarence Gray, 2440 Snows Court; was asleep when he heard a commotion outside; dressed, went out, and heard Beatrice Thomas and Agnes Sanders ordered into house; saw them enter house of Robinson and saw the man fleeing a few minutes later as he held his face.

Ham Dykes, 820 Twenty-third Street; saw policemen kicking William Jackson and another man; officer ordered him home but when told he was on way to work he was kicked.

## Struck on Head

William Jackson, 804 Twenty-fourth Street; two officers asked him where he lived; one struck him on leg with stick, the other hit him over the head with a stick.

Grafton Williams, 930 Hughes Court; was at Twenty-fifth and K Streets, when two officers stopped him and asked where he lived; he told them and they asked him if he could go to K St.; he answered, "Uh-uh"; one asked "how do

you rs talk to white people?" Williams told him that he talked to white people as they talked to him, if they talked "civilized" he did too; officers struck him in face with fist and kicked him twice.

Eugene Nickens, 915 Hughes Court; was going to store at Twenty-fifth and K Streets, when he saw two officers on K Street; both grabbed him and asked where he lived also name; ordered him home and struck him with stick.

Beatrice Thomas, 2418; Beulah Thomas, 2424, and Agnes Saunders, 2424 Snows Court (joint statement): related attacks on Robinson and Lomax which they witnessed.

Leroy Lomax, 928 Snows Court; was talking with Palmer, Jackson, and another man; told how he was struck across back and shoulders up staggered into home of William Anderson and staggered out; face, as well as assault on his associates.

George F. Chinn, 1255 Potomac Street; was walking on Twenty-seventh Street with Willie Shields; officer threw a stick and knocked off his hat; didn't know what happened, looked around and officer picked up broken piece of stick and hit him in back of head after he said he was not doing anything; ran into home of Mrs. Henrietta Edwards on Twenty-seventh Street, who bathed the wound and placed vaseline on bruise; went to Georgetown Hospital where two or three stitches were taken to close the wound.

## Boy Says Cops Beat Him To Get Their "Confession"

NOV 15 1940

BIRMINGHAM, Nov. 14 (ANP)—Roxey Benning, 19-year-old Parker High student, declared this week that by beating him with a strap, police forced him to confess turning in a false fire alarm on Halloween night. He had said that after he had protested his innocence, he was taken to a back room

of the police station, where Dt. J. T. McFarland ordered him beaten with a black leather strap. John H. Garner, 15, also arrested for the prank, said he heard Benning yelling after being taken into the room by the police. Garner told interviewers the officers threatened to whip him when he denied his guilt, but he was not molested. Young Benning said he was forced to lie down on a table, and while some of the police held him, he was struck about 15 times with the strap. He then confessed the prank to avoid further beating.



# GUARDS THREATEN PRISONERS WHEN WHIPPINGS ARE EXPOSED, ALLEGED

Charleston, S.C. Lighthouse and Informer Gives Detailed Account of Ex-Prisoner's Story—To Ask for Investigation Into State's Penal Conditions.

NOV 9 1940

CHARLESTON, S. C., Nov. 7—(ANP)—Some 140 Negro prisoners at Dessasure State farm have been threatened with severe beatings and threats of death made for those now free should they ever return to the farm, it was disclosed here Saturday by one ex-prisoner whose word account was published by the local colored paper, the Light-

house and Informer.

FROM 40 to 200 LASHES WITH 5-LB. "BULL TONGUE"

The newspaper carried a detailed account of brutal whippings at gun point at Reid's Farm in May and another story in August.

Both gave accounts of men who had been sentenced to the farms and how they were made to lower their trousers, lie flat on their stomachs and receive from 40 to 200 lashes with a five-pound strap prisoners call the "bull-tongue."

While beatings are administered one guard holds a rifle on the prisoner while the other whips him. When large numbers of lashes are given the guards divide the work.

SCARRED FOR LIFE FROM BEATINGS GIVEN

The threat to get "that Terry n—r" if he ever comes back here was told the newspaper by Joseph Terry, 23, who was scarred for life from beatings given him during seven months and 17 days at Dessasure farm. According to Terry, guards called all prisoners together after his story was published and tried to find out if any of them had been "slipping out information."

During the questioning period one guard is reported as saying, "If we ever get that Terry n—r back here again he sure won't do any more talking." Terry told the newspaper that a recently released prisoner informed him of the happening and was concerned over his personal safety as he didn't want to go back to the farm under any circumstances.

Publishers of the paper said immediately after Terry disclosed the information that Governor Maybank would be asked to investigate prison conditions at the farms. Only Negro prisoners are placed on the farm, white prisoners being kept in the State penitentiary in Columbia. Several organizations have been asked to aid in having the whippings and brutalities investigated. Meanwhile word ac-

counts of other ex-prisoners are being gathered by the newspapers for publication.

## Cop Who Shot Man Still On Post Despite Probe

NOV 9 1940

While Police Commissioner Valentine's office announced that official investigation of the fatal shooting of Adolphus Brice, laborer, by Patrolman Louis Christensen is still underway, relatives and friends of the victim indignantly protested the continuance on his post of the policeman this week.

Emphatically declaring that the officer's action in shooting Brice "was nothing but murder" and that the policeman's presence on the beat constitutes "a menace to the community and an insult from the powers that be," local residents indicated that a strong demand for suspension of the cop is planned.

Brice, 30, former resident of 2558 Eighth Ave., was shot in the back four times by Christensen as the former ran into a hallway of his home three weeks ago. The shooting followed an altercation in the Ansonia Bar and Grill, Eighth

Ave. and 134th St., between Brice and Pete Bastone, white, bartender, who told police that Brice had acted as if he intended pulling a stickup.

The incident, at first reported as the slaying of a holdup man by a policeman, aroused widespread indignation when investigation showed Brice to have been shot in the back. The investigation was ordered by officials after Christensen's alleged statement that he fired when

Brice made a threatening move toward his pocket, was challenged by relatives who revealed that the laborer was unarmed at the time.

Mayor Under Fire After Police Chief Race Slur

DEC 15 1940

DETROIT, Dec. 12—(ANP)—Ever since Police Commissioner Frank Eamans made the bold assertion that he "didn't understand why Negroes object to being called 'n—r' when they are called that in books and on the stage," a whispering campaign, emanating from several sources, is going the rounds against Mayor Edward J. Jeffries.

It is recalled that the head of the local police department made this statement in the presence of colored leaders at a conference with the mayor while protesting against police brutality on the part of some members of the police force.

The reason for the whispering campaign against the mayor, as stated by a member of the protesting committee, "is because the

commissioner is appointed by the mayor and the only way to get rid of a bad police commissioner, who upholds brutality and has the affrontery to flaunt his racial antipathy in the face of Negro leaders, calling them boys, is to get rid of the mayor."

For a long time, undue brutality on the part of the police towards Negroes has been a bone of contention here, and it seems that no mayor has as yet given much consideration to the appointing of a head for that department who would attempt to curb it.

It is being repeatedly stated that colored voters helped to elect the mayor and it is believed that they can also help to defeat him.



# GOVERNOR ORDERS PROBE ON BEATING OF NEGRO SUSPECT

Governor Herbert H. Lehman has ordered Nassau authorities to explain the mysterious injuries of Theodore Parks, Inwood Negro, who was arrested and then exonerated as a suspect in the shotgun slaying of a policeman and later released.

The action of the Governor came on the heels of demands and protests of various individuals and organizations for a searching probe into the case.

September 6, 1940  
H. Shaw of the Balwin police force was shot and slain from ambush in Railroad avenue, Woodburgh.

Sergeant Robert Kirk who was Shaw's companion at the time, reported that he had gotten a glimpse of the slayer, Kirk affirmed the murderer was a Negro.

Immediately the entire police force of Nassau County entered into an extensive manhunt to discover the identity of the slayer of their brother-officer. Parks was arrested a suspect while on the job on Tuesday in Arverne Beach police at the request of authorities of Nassau County. He was questioned in Mineola Police Headquarters.

Nassau County officials stated that the Negro junkman resembled in some respects the Negro who had fired a sawed-off shotgun which took the life of Shaw. At 7 p. m. Tuesday detectives took Parks to his apartment at 208 Merrill place, Arverne. They literally turned the place inside out, rummaging through drawers, yanking out the drawers and dragging clothes on the floor. Some of the clothing they tore up, scattered papers, pulled out pots and pans and dumped a bag of dirt on the kitchen floor, according to the man's wife.

Finding a rusty gun, which Parks said he had purchased in his junk business, they became

even more violent in their search, smashing the radio and tearing ornaments from the bureau. Parks and his wife were then taken to police headquarters where Mrs. Parks was soon released.

When Parks' wife left him at the station, he was in perfect health, she said. After being "questioned" and cleared of any connection with the murder by Nassau County police on Wednesday morning at 4 o'clock he was taken to the Meadowbrook Hospital, suffering from a broken jaw and serious head injuries.

Police were vague and uncommunicative about how Parks received injuries. Not only this, but they had their stories mixed. Acting on the complaint of the National Association for the Advancement of Colored People and other groups, Inspector Harold R. King and District Attorney Edward J. Neary conducted a short investigation. Citizens were of the opinion that this was a "white-wash."

Neary absolved the Nassau police completely of beating Parks while King announced that the man had been hurt in a scuffle while getting into the police van.

Negroes were quick to recall that Nassau County is the "cracker county" of the East; that it is infamous for conditions of mistreatment to and prejudice against Negroes. It was here that recently a Divinite named Zachariah Cherubim, was arrested on a disorderly conduct charge after he had been allegedly abused and beaten by police. His only crime, as it was established in the courtroom, was demanding that instead of being abused by police, he be arrested if he had done something wrong. It is not a secret that had it not been for the fighting attorney who defended Cherubim, the widespread publicity which was furnished on the infamous case by The New York Age and the interest of a group of public-spirited white and Negro clergy-

men and other individuals, the prejudiced courts of Long Beach would have taken advantage of an innocent man.

Negroes further recalled the case of Hyman Stark, who was found dead in a police station in Nassau in 1933 after he had been "questioned" concerning an attack on a policeman's mother.

Stark's body was covered with welts and bruises and his Adam's apple was broken. During the trial of six policemen on murder charges there was testimony that a policeman stepped on Stark's throat and rocked back and forth. After two trials, the policemen were acquitted.

## COPS, POSSES BEAT NEGROES WRECK HOMES

SEP 21 1940  
Killer Described as Light-Skinned; Doubt He's Member of Race

(Photo on page 2)

INWOOD, L. I.—Striking with the fiendish fury of a southern lynch-mob in an obvious attempt to avenge the slaying of a white policeman in Woodmere two weeks ago, several groups of "strong-arm squads" composed of white men and many members of the Nassau County police force continued to intimidate colored residents here this week as the search for the cop's slayer reached a standstill.

The homes of colored residents were recklessly invaded, furniture smashed, women beaten and men slugged over a 48-hour period last week. The most serious case yet reported was that of Ted Parks, 43-year-old world war veteran, of 308 Merr-

Parks was beaten into unconsciousness when he denied being involved in the slaying of the white patrolman, Charles Shaw, who was shot to death while trying to question an alleged automobile thief.

Police crashed into his home last Tuesday night, beat him over the head with black-jacks and threatened to "lynch" him, if he didn't "come clean and tell us all about it." Even Parks' wife and the couple's 10-year-old daughter were threatened when they begged police to stop.

After beating Parks, police smashed the interior furnishings of his home and dared him to say he didn't like it. An expensive radio set, a sewing machine and several mirrors were among the pieces of furniture destroyed.

Then they took Parks to police headquarters, where he was beaten again. Later, when it looked as if the victim might die in the police station, he was rushed to Meadowbrook Hospital where he is still confined. This week, doctors reported his condition as still serious.

A committee of colored citizens, Charles Rippers, John Baker, Charles Gibbs, the Rev. Perkins, Robert White, James Cousar, William Daniels, A. Turner and J. Williams, called upon Police Chief Skidmore to demand that he stop the brutality. Skidmore told the group: "As long as you people cooperate with us, there'll be no more of the rough stuff."

In other nearby communities, like Lawrence, Cedarhurst and the Rockaways, colored citizens seemed afraid to walk the streets at night. Scores of white citizens, many of them seemingly armed, stop them to question and search them.

Here in Inwood, several colored shop-keepers had their windows smashed by young white hoodlums who apparently had the moral backing of the Police Department.

Sgt. Robert Kirk, who was with Shaw on the night the latter was slain, changed his story somewhat this week by saying that the man "who killed Shaw was a light-skinned fellow." Some residents were quick to point out that only a few light-skinned colored people live or work in this section of Long

Island.

William Clark and R. K. Dixon, owners of the Booker T. Washington Employment Agency and a real estate concern, were questioned at length by police investigating the slaying. Detectives told them: "You do most of the hiring around here and you ought to be able to tell us who killed Shaw."

Amos Jones, 1940 and beaten since the slaying are James (Satchell) Cousar, Leon Jackson, Theodore Taylor, James Smith. The latter was arrested three different times. When Smith complained about it, he was given a "official card" from the Police Department. The card read: "This is to certify that James Smith has been o. k'd by this office." The card was signed "LeRoy Hussar."

Near midnight, last Sunday, the windows of Watson's Bar and John Cooper's Beauty Salon and the offices of the Booker T. Washington Employment Agency were smashed by a group of whites, who threw bricks as police looked on laughing.

## Melon Thieves Give Farmer Headache

SEP 21 1940  
Special to THE CONSTITUTION.  
ROCHELE, Ga., Sept. 20.—If the night, the charred stump and Frank Troutman, Negro farmer, had not all been the same hue, Troutman would not now be nursing a headache.

Troutman, bothered by melon thieves, took his gun and went to the patch to watch. Sitting on a stump, which served perfect camouflage, he fell asleep. The thieves came, chose a fat, juicy melon, and prepared to break it over a stump. The melon came down, not on the stump, but on Troutman's head.

Troutman shrieked, everybody fled, and next morning Frank had to go back for his gun.



# WOMAN SAYS WAS INJURED BY POLICEMAN

## Arrested On Project When She Suffers Crying Spell

SEP 21 1940  
Miss Ellwillie Greere, 30, of 4809 Prairie avenue, acting through Atty. Barbara W. Goodall of the firm of Ellis and Westbrooks, filed a \$10,000 damage suit Tuesday in superior court naming three Fifth District policemen and officials in charge of a WPA project at 3930 Federal street, as defendants.

Miss Greere's bill of complaint charges the police with assault and battery resulting in fractures of her left ankle and bruises about her body. The WPA officials are charged with accusations resulting in the false arrest, illegal imprisonment and malicious prosecution of Miss Greere.

In her version of incidents leading to her arrest Miss Greere said that she became ill on April 23 while at work in the project quarters where she was employed as a seamstress.

Seized with a crying spell, the woman said that a WPA nurse who was called to attend her, accused her of being intoxicated and gave orders that she leave the project.

### Police Called

When she informed officials at the project that she did not drink and had never been intoxicated in her life, an argument ensued and resulted in the officials calling police after Miss Greere refused to go home.

A squad from Forty-eighth street police station under Detective John Rasmussen, responded and placed the woman under arrest. Twenty project workers who were present at the time, later signed affidavits charging that the officers pulled Miss Greere to the top of the third floor stairs and then shoved her down the steps. After getting the woman onto the street, the affidavits charge that the police cursed her and then picked her up bodily and tossed her into a patrol wagon.

These charges are denied by the police officers, who accused Miss Greere of cursing, scratching and kicking them when they attempted to escort her out of the project work-rooms.

### Mother Makes Charge

Miss Greere was then taken home. Her mother, Mrs. Sadie Greere, said that the officers came to her door and told her that her daughter was outside in the patrol wagon and unless she induced her to get out and come in the house they would carry her daughter to the station.

The mother further charged that when she informed the police that she was unable to carry the injured girl, the police became angry and ordered the officers in charge of the wagon to take Miss Greere to the lock-up.

Miss Greere was subsequently arraigned before Judge William V. Daly in criminal court and fined \$10 and costs on charges of disturbing the peace. The complaint in this case was signed by police after officials at the project refused to make formal charges.

### Sign Statements

Full weight of the impending law suit on side of the prosecution will be based on the fact that two supervisors at the project, Mrs. Dora Grogni and Mrs. Florence Simons, signed statements in which they denied that Mrs. Greere was intoxicated at time of her removal from the work-room.

Mrs. Greere had been employed on the project for a year and a half, having been dismissed under the 18-month ruling. She was reinstated in February of 1940.

## COP BRUTALITY ON MOCK TRIAL SEPTEMBER 26

### Affair Slated to be Held at Metropolitan Baptist Church

SEP 21 1940

Plans for a mock trial of a police officer charged with murder and brutality are just about completed, according to an announcement made by A. Lanston Taylor, chairman of the citizens committee on police brutality. The trial will be held at Metropolitan Baptist Church, B Street, between Twelfth and Thirteenth Streets, Northwest, Thursday,

September 26, at 8 p.m.

Mr. Taylor stated that the purpose of the police trial is to crystalize public sentiment and build up mass pressure against the frequent outbreaks of police brutality and terror. Persons taking part in the trial are: H. Lincoln Johnson, president of Washington Bar Association, presiding judge; attorneys for the prosecution, Dean George A. Parker of the Terrell Law School, and Belford V. Lawson; for the defense, Nathan A. Dobbins, Majorie McKenzie and Otho D. Branson; court clerk, Hubert D. Pair; bailiff, Calvin Cousins; marshal, Leroy Taylor; messengers — Beatrice Morton, Thelma Dale, Marcella Moore, Charlotte Payne, Rachel Robinson, Marie Richardson, Alree Wright, Edward Felder.

Among the witnesses are both white and Negro, including: Hugh Miller, chairman, Washington Committee for Democratic Action; Mark Hyde, Tom Reid, Horace Randolph, Mrs. Roberta Hastie, Leo Schwartz, Charlotte Payne, George Stam, and Pericles McDuffie.

This affair is under the direct leadership of Miss Bertha Blair, from the Washington Committee for Democratic Action. Mrs. Ella Haith will be responsible for dramatic make-up.

## "PUNISH POLICE!" CITIZENS DEMAND

SEP 24 1940

By HERMAN HILL

LOS ANGELES, Cal., Sept. 19— "Punish the police!" the Negro public here is demanding following a riotous outbreak last Friday night when several squads of policemen are charged with having entered the restaurant in the Rossmore Hotel, railroad men's headquarters, and to have attacked customers and employees.

Racial feeling had been stirred earlier in the evening when a man, dressed in the uniform of a gasoline station attendant, attempted to arrest two Mexican women. The women protested.

### SEVERAL MEN ACCOST WOULD-BE POLICEMAN

The Rossmore Hotel is located at Sixth and Ceres, where many Pullman porters, dining car waiters and other railroad workers center

their activities while here. Several men rushed out of the hotel when the man above accosted the women and asked him if he had the authority to arrest them.

While the man was searching for his credentials, the women escaped. The man to the uniform left. No blows were struck, and he was not molested.

But a half hour later, this same man returned with five car-loads of policemen, heavily armed. The policemen took to the street and rushed into the hotel restaurant, crowded with porters and waiters who had just arrived in the city.

### USE FISTS AND BLACK-JACKS

The police began to beat and belabor everyone present with their fists and black-jacks, according to eyewitnesses.

Several patrons are said to have been knocked down and kicked. They required medical attention. The ring-leader of the police mob cursed loudly and dared anyone to fight back so that he could be justified in shooting.

Witnesses said that he was under the influence of liquor.

After some fifteen minutes of terror, which saw innocent bystanders on the street struck down and the hotel bellboy knocked down and kicked, the rioting police left. No arrests were made.

Action against the police is expected from the Consolidated Corporation, which operates two hotels, the Regal and the Rossmore, in the district where the police attack occurred. The hotels cater largely to the trade of railroad workers.

Agents of the Southern Pacific Railroad have also begun a probe through the legal department.

Vigorous protests have been lodged with city officials and damage suits against the police are said to have been filed already through Attorneys Gordon, Johnson and Griffith.

Inasmuch as this is not the first time Negroes have been the victims of gangster police methods here, a complete showdown from the Mayor's office on down is being demanded. But for saner heads, serious racial trouble could not have been averted.

## WAS ARRESTED IN SEPTEMBER

Stayed in Hospital  
Several Weeks  
Thru Injuries

DEC 7 1940

INWOOD, L. I.—Tet Parks, 43-year-old World War veteran and junkman, the number 1 victim of the Nassau County Police reign of terror instigated after the mysterious murder of Patrolman Charles Shaw last September finally walked off this week a free man.

Parks was arrested by the Nassau police on September 17, when his home was reduced to shambles in a quest for the murder weapon. A shotgun was found in his home, 208 Merrill Place, a .25 calibre revolver and .22 calibre rifle in Parks' junkyard. After an all-night grilling, Parks ended up in Meadowbrook Hospital with a broken jaw which later turned out to be an ulcerated tooth when an investigation was demanded by Governor Lehman.

In a Mineola court Parks was cleared on the murder charge, but convicted on a violation of the Sullivan Law. He was given a suspended sentence and turned over to Queens authorities to stand trial again. Parks pleaded guilty again on the gun charge when arraigned before Special Sessions in Jamaica. However, after a review of the case by Probation Officer Timothy Sullivan, Assistant District Attorney Stephan Frontera urged leniency and Justices Max Saloman, Thomas F. Doyle and Thomas J. Brady gave Parks his freedom.

During the course of the trial it was brought out that the circumstances following Parks' trip to the hospital was never cleared up. Hospital records seemed to fluctuate to suit the situation. Parks' record at first showed a fractured jaw which was later changed to injuries caused by a fall, a beating or an ulcerated tooth.

A few snickers were heard throughout the court when it was revealed that Parks had testified in Mineola court that the police were "lovely" to him. Throughout the entire proceedings, Parks listened attentively to Sullivan and Frontera who showed sympathy for him.

Free after ten weeks in jails and hospitals, Parks then boarded a bus for home.



# SHOT BY COP, GETS \$1000

CINCINNATI, O., Feb. 1—John Lampkin, 1231 Poplar street, was awarded a \$1,000 verdict in Common Pleas court last Saturday for personal damages as a result of a suit filed against John Dunn, white Cincinnati policeman.

Lampkin was shot while driving his automobile on Sept. 24, 1934, after a filing station attendant had notified Officers Dunn and John McCamey, who were riding in a scout car, that two men had driven into the station and left without stopping. The policemen gave chase and fired two shots, one of which wounded Lampkin.

The injured man was arrested and charged with reckless driving and upon his release, sued the officers.

# Walden Is Victor In Appeal

## Youth Beaten Over Head By Officers

A \$25 fine against James Nash, June graduate of Booker T. Washington High School who was convicted last summer in Fulton Criminal Court on a charge of resisting arrest, was erased Wednesday when Superior Judge A. L. Etheridge ruled that the youth was not guilty of the act. A. T. Walden, defense attorney, announced last night.

The Atlanta branch of the National Association for the Advancement of Colored People took an active part in the case.

## ARRESTED LAST MAY

Nash, who resides at 670 DeKalb Avenue, was arrested last May at the home of his aunt, Mrs. Jarle Vance, of 77 Howell Street, and booked of City Jail on charges of disorderly conduct and resisting arrest. State Revenue Officers W. L. Shields, Joe Jeff Moore and Tom Werner, who arrested the youth, claimed they were forced to beat Nash on the head with blackjacks because Nash resisted arrest and tried to attack them.

The officers went to the house seeking whiskey, they said. Nash told the court that he had merely stopped at the house to visit his aunt. No whiskey was found at the house.

Nash said the officers slapped and kicked him after asking his name. The youth's aunt and a cousin witnessed the incident.

In Recorder's Court, a Recording Judge dismissed the disorderly conduct charge and bound Nash over to the County Courts on a charge of resisting arrest.

In lower division of Fulton Criminal Court, the high school youth was convicted on the resisting arrest charge and fined \$25.

## WALDEN APPEALS CASE

Attorney Walden appealed the case to the Superior Court.

Judge Etheridge ruled Wednesday that Nash was not guilty of the resisting arrest charge if he was not guilty of disorderly conduct. The case was then "thrown out" of court. Attorney Walden said.

# Juvenile Hearing Delayed

## Case Comes Up After Trial Of Indicted Officer

*Daily Worker*  
The scheduled Wednesday trial of Quintar South, alleged victim of police torture was reset to March 27, according to Juvenile Court officials. Spectators were excluded from the juvenile courtroom where the hearing was scheduled.

Sixteen-year-old South is charged with larceny, which he repeatedly denied to police until a "confession" was tortured from him. *3-14-40*

Meanwhile, an outraged Atlanta citizenry awaited the trial of W. F. Sutherland, twice indicted and suspended Atlanta officer, which is scheduled in federal court on March 25. Judge E. Marvin Underwood will hear the case.

Sutherland was indicted by a federal grand jury in Tuesday session on three counts involving the burning and beating of young South and depriving him of his civil rights in order to wrest a burglary confession.

The officer had already been indicted by the Fulton grand jury in connection with the torture and had been suspended by Chief Hornsby of the Atlanta police department. Hearing of the Sutherland case in Fulton state courts has not been put on calendar.

Under the three counts charged Sutherland in the federal indictment, a maximum penalty of twelve years in prison and a \$7,000 fine is possible.

# 3 Counts Listed In Indictment Faces Penalty

*Daily Worker*  
Of 12 Years,  
\$7,000 Fine  
*3-13-40*  
*Attorney*

An Atlanta policeman, al-

ready indicted by a county grand jury and under suspension for torturing a 16-year-old youth to secure confession, Tuesday was indicted on three counts by a federal grand jury.

W. F. Sutherland, the officer involved, was indicted for burning and beating Quintar South and depriving him of his civil rights in order to wrest a burglary confession.

South, who will go on trial this morning for taking a basketball from the Clark University gymnasium along with other youths, claims that Sutherland burned him with a photographer's electric driving iron on February 28.

The U. S. Court indicted Sutherland at \$2,000 and scheduled his case to be heard on Monday, March 25, before Judge E. Marvin Underwood in federal district court here.

## MAY GET 12 YEARS

If Sutherland is convicted on all three counts of the federal indictment he faces a maximum penalty of 12 years in prison and a \$7,000 fine.

The first count of the indictment against the suspended Atlanta officer charges that by striking, battering, beating, burning, assaulting and torturing South, the young victim was deprived of "the privilege of equal protection of the law and the immunity from illegal assault, battery and torture by any person exercising state authority."

A maximum penalty of ten years in prison and a \$5,000 fine is provided for this count alone.

The first count of the indictment further states that South was "tortured without legal cause or justification" in the acts of the officer, as the wording put it, "by burning him on the left forearm and at front base of the neck and upper chest with a hot piece of iron, and by slapping and hitting him with his fist, and by striking him with said hot iron in order to illegally coerce and force him to make a confession and admission of his guilt in said burglary case."

## SECOND COUNT

The second count of the indictment charges that the officer subjected South to "different punish-

ments, pains and penalties than those provided by law on account of his being a Negro."

The third count against Sutherland charges that his actions deprived the arrested youth of the right "to be sure in his person, and the right not to be compelled to be a witness against himself," and also "the right that no cruel and unusual punishments be inflicted upon him."

A maximum penalty of one year in prison and a \$1,000 fine, either or both, is provided in each of the last two counts.

At the time of indictment by the Federal grand jury, Sutherland was under \$500 bond on charges of the alleged beating-burning torture re-

turned in a Fulton county grand jury indictment.

The cases against the Atlanta officer followed reports of young South to his employer, Mrs. C. E. Harrison, white, that he had been burned by Sutherland at police station in an effort to make him confess the Clark University burglary. South had been transferred to juvenile detention home at the time he made the report. Immediately an investigation was launched at the order of Judge Garland Watkins. When South was taken to police station to identify the officer who allegedly tortured him, he pointed out Officer Sutherland and identified the room in which the alleged torture took place.

South said he repeatedly denied the crime to the officer but that the torture was continued until he confessed to escape the pain. He has continually denied the crime, which Clark officials are said to have since stated did not actually occur.

The U. S. jury will hear witnesses in the case of William Humphry, 40, taxi driver, who has charged that radio patrolmen of the Atlanta force beat him severely while carrying him to police station. Humphry said they charged him with informing another man that the officers were looking for him. Humphry accuses Officers James Galvin and J. D. Adams of beating him.

The sudden interest of the district grand jury in the Atlanta cases followed a charge to the jurors Monday by Judge Underwood on the law protecting the civil rights of citizens. Judge Underwood did not refer to any particular case, but cited two sections of the federal code assuring protection to all.



As the alleged outrages against colored citizens came to light, additional white persons appeared claiming similar beatings by Atlanta and Fulton police.

The Fulton County grand jury Tuesday returned an indictment naming four men in two indictments and charging them with floggings in the Ben Hill-East Point section. The men, Charley Watts, Clifton Golden, Claude Campbell and W. C. Amerson all white are charged with assaulting one T. E. Young, white of 107 Martin St., East Point. Watt is charged separately with assaulting S. W. Jones, of Clayton County. A heavy leather strap was said to be the instrument used in both cases. Bonds of \$5,000 were set for each of the accused.

## LaGuardia's War Against Civil Liberties

Not for many years have New Yorkers been subjected to so brutal a police attack as was witnessed before the French Consulate against the 23 brave and honest Americans who wanted to protest in a peaceful picket line against an inhuman decree of the French Government.

A small army of 350 police, on horseback and on foot, descended upon 23 men and women, smashing left and right, spreading violence up and down Fifth Ave. Hundreds who happened to be standing by were slugged, shoved, driven away by horses' hooves, and swept aside. All this was in direct line with LaGuardia's orders.

What did the pickets want to say? They wanted to urge that the 100,000 anti-fascist Spanish refugees now living in France be saved from the Franco fascist execution squads. The picket line was performing a humanitarian, praiseworthy, noble deed, for which there is not a decent American who will not applaud them.

Did they have the right to express their views in a peaceful manner to the French Consulate?

Of course, they had that right. They had it a thousand times over. They get it from the Bill of Rights of the U. S. Constitution.

But LaGuardia thought otherwise. He deliberately organized a brutal and unprovoked attack. Last September, LaGuardia summarily announced that he would permit no organized expressions of American opinion outside foreign consulates.

As the excuse for his gag on civil liberties LaGuardia has declared that he "doesn't want Europe's battles fought here." But, LaGuardia has been running up and down the city fighting the Allies' battles for them. He has given his blessings to the Hoover war propaganda over Finland, he has blessed a whole raft of Allied stooges.

LaGuardia, like every other American politician who has jumped on the war bandwagon, prates about "democracy" across the seas at the same moment that he himself is trampling it underfoot at home.

By yesterday's brutal attack, LaGuardia lays down the rule that it is all right for him and Hoover to grovel before the Allied war propaganda, but it is a crime for 23 men and women to befriend the victims of Franco terrorism!

The hypocrisy of this offends all decency. It is clear that LaGuardia is bent on creating a war atmosphere in which all progressive thought and Labor organizations will smother. He has already begun to interfere in a marked manner with the rights of trade union pickets and unemployed meetings. Witness the TWU and Workers Alliance cases.

The indignation of the trade unions, and the decent people of New York at this flagrant violation of civil liberty should resound so that City Hall will have to give heed.

If LaGuardia's police can with impunity smash a small picket line of citizens protesting the murder of Spanish anti-fascist refugees, then how much will the rights of any New Yorker be worth?

## Pair Presented Before Special Grand Jury; Suspension is Pronto

Arraigned before Justice F. D. Letts in Criminal Court No. 1 shortly after being indicted on nine counts charging assault and assault with a dangerous weapon, Policemen Henry (Bull) Martin and James E. Stabler, both white, of the Third Precinct, who allegedly staged a blitzie in Snows Court and vicinity on Labor Day night, pleaded not guilty and were released on \$1,000 bond, Tuesday.

Thus again the case moved forward with the amazing speed which characterized action on Wednesday of last week when Inspector Edward J. Kelly heard the complainants, took them before an assistant district attorney then the district attorney. The two officers were presented to a special grand jury on the same day.

They were immediately suspended by Inspector Kelly when the charges were preferred, marking the first time here an officer has been suspended when facing such actions.

The prosecution against the men was set in motion by Dr. E. F. Harris, president of the Lincoln Civic Association, who notified Lieutenant Barrett, acting captain of the precinct. The lieutenant informed the inspector who spent portion of a night in rounding-up witnesses of Dr. Harris who apparently feared reprisals if they identified their attackers previously.

Pair Finger-printed  
Appearing before Justice Letts, Martin and Stabler denied that

Twenty-fourth Street, Northwest; Callie Campfield, 838 New Hampshire Avenue;

Eugene Nickens, 715 Hughes Court, Northwest; George E. Chinn, 1225 Potomac Street, Northwest; Ham Dykes, 830 Twenty-third Street, Northwest; Grafton E. Williams, 930 Hughes Court.

The men are accused of marching through the Snows Court area, beating men over the head, kicking others in the face and about the body, and cutting a wide swathe in the district filled with their victims.

One of the complainants listed, who was not among those named last week, is Luther Sockwell, 815½ S Street, Northwest, who was attacked while he awaited his wife then visiting her mother. He was taken to the hospital by a white man. His story is told in another section of this paper.

### Other Accusers

Others accusing Martin and Stabler are:  
Leroy Lomax, 928 Snows Court, Caine Robinson, 2420½ Snows Court, beaten out of his bed and chased barefooted across a trash-filled lot; William Jackson, 804



Columbia, S. C. State  
June 29, 1940

## Hearing Held on Alleged Mistreatment of Negroes

A hearing in the alleged mistreatment of Negroes by certain city police was held by city council yesterday. Following the hearing, in which two Negroes and two city police testified, council requested Chief L. J. Campbell to dispose of the case.

R. Beverley Herbert, Columbia attorney, represented the Negroes, a group of 30 appearing at the council chambers. However, he did not represent them in a legal capacity but as a private citizen. William C. Donelan represented the two police, B. E. Fulmer and A. D. Anderson.

Mr. Herbert pointed out that all he was interested in was upholding the law, that "this is no attack on the police department."

He said that there occurred many instances in which Negroes were "grossly mistreated" and that often the police officer was "too willing to use a club."

He pointed out that the Negro race was the weaker and should be protected.

One of the Negroes, W. O. Harvey, testified that he was walking in the 800 block of Lady street with a young woman shortly after midnight about two weeks ago when he was roughly accosted by Officer Fulmer who asked him what he was doing, beat him with his stick, handcuffed him and hauled him off to jail.

Officer Fulmer testified that he had been walking his beat about midnight when, upon checking a certain store in the block, he noticed that the safe was open. He said that he walked around the side of the store and saw Harvey and the girl in each others arms standing in the semi-darkness.

He testified that he questioned Harvey as to his presence, that Harvey cursed him and seized his stick, that he stepped back, drew his gun, that Harvey dropped the stick, that he then stooped to pick up the stick and that Harvey seized it again. He said that he jerked the stick from Harvey and struck at him, striking him only with the leather attached to the stick. He testified that he then snapped the handcuffs on Harvey's wrist and called a patrol car.

The charge placed against Harvey at police headquarters was "disorderly and resisting arrest," the officer said.

W. C. Johnson, Negro undertaker, testified that he had been accosted by a policeman in front of his home one night recently, the officer ordering him to get off the street, declaring that it was after the curfew hour. Johnson testified that he left the street and walked up on his porch and sat down in a chair, that the officer followed him. Johnson

said that he made some remark about "seeing about it" in the morning and that the officer had declared he (Johnson) "would see about it right now."

Johnson testified that he was handcuffed and walked to a police telephone in the next block but was freed when another officer appeared and recognized him.

Officer Anderson testified that he was only obeying orders when he cleared the street at midnight and that he did not know it was Johnson that he had handcuffed. He said that often there were a number of Negroes on the street at the time of the curfew, some of whom tried to escape observation by supping up on neighboring porches. He said that he believed Johnson to be one of these persons.

Mayor L. B. Owens said that he had informed the members of the police department that they were officers of the law and should enforce it. He declared that he had instructed the officers to recognize that they must be subjected to abuse at times by drunk or angry persons but that they should not resent it. One of the councilmen suggested that the matter be taken under advisement but it was decided to place it in Chief Campbell's hands.

Columbia, S. C. State  
June 28, 1940

## Council to Hear Charges Against Police Today

A hearing on charges of alleged mistreatment of Negroes by certain members of the city police department will be held at noon today by city council. The meeting will be held in the council chamber at city hall.

R. Beverley Herbert, Columbia attorney, represented a group of Negroes bringing the charges at the Tuesday meeting of council. He made it clear, however, that he was not representing the group in a legal capacity.

He related several instances, brought to his attention by the Negro group, of mistreatment of members of the Negro race by police.

Chief L. J. Campbell was directed to have the officers before council at the meeting today and Mr. Herbert and the Negro men were requested to appear to present their charges.

## BULLET VICTIM WANTS NAACP TO TAKE CASE

NEW ORLEANS, La., June 27.—

Lenox Moore, 2900 Toledano street stated this week that he was making an appeal to the N.A.A.C.P. for aid in fighting a case against a policeman who shot him intentionally, Dec. 13, 1928, he says.

Formerly a resident of Algiers, La., Moore claims that on the night of Dec. 13, 1927 as he was returning home with a companion, Earl Farrell, also of Algiers, two policemen approached them and one fired a shot which struck him in the back near the lungs. He was later taken to the eighth precinct, forced to mark an X on a confession stating that he was disturbing the peace and then brought to the Charity hospital in New Orleans by ambulance. After remaining in the hospital until Dec. 26, he was discharged. Since that time he has never been rearrested nor has the case been brought before the courts.

## Shooting of 10-Year-Old Boy By Capitol Policeman Probed

### Pistol Discharges by Accident As Sergeant Places It in Holster, Says Report; Bullet Lodges in Neck

Capitol officials last night were told her that he alone had been investigating the shooting of a 10-year-old colored boy by a Capitol policeman in the guardroom of the Senate Office Building yesterday afternoon. The boy, Fred Walker, jr., 1222 Shepherd street northwest, was said to be in good condition. The bullet lodged in his neck.

The sergeant, Kenneth Romney, sergeant at arms of the House, and Chesley W. Jurney, Senate sergeant at arms, revealed that they had ordered investigations and said they would receive a report this morning from Capt. William S. Orthman.

According to the official report received by the First Precinct police station, the boy was wounded when a .38 caliber pistol was discharged as Sergt. Vernon E. Deus, 35, of 1222 Shepherd street northwest, was placing it in his holster after cleaning it. The report was signed by Lieut. Roy L. Johnson of the Capitol Police.

The sergeants-at-arms of the House and Senate were investigated. According to the three Marie children, only Elija Marie and Fred and three companions who witnessed the shooting that the police sergeant had pointed the pistol at the youngster just before the gun went off.

### Taken to Guardroom

The three children, who had been taken to the guardroom after two of them had been swimming in the Plaza Pool between the Capitol and the Union Station, were Elija Marie, 12; his brother, John, 9, and sister, Margie, 11, colored, of 440 I street northwest.

The shooting occurred at 1:30 p. m., and according to the official report, two policemen were in the guardroom at the time, as well as the four children.

The injured boy's mother, Ella Walker, told a Post reporter that Sergt. Deus and two other policemen came to her home and informed her of the shooting at 3:30 p. m. The police told her, she said, that the boy had been hurt while helping Sergt. Deus clean his gun. On the



# John Rhines Flays Brutality of Police: to Hold Meeting July 17

*Tribune*  
Scoring the vicious system of police brutality against colored citizens, John N. Rhines, president of the Southwest Civic Association and "major of Southwest," spoke on behalf of community leaders this week, demanding that the system must be crushed.

"Very shortly there are to be new officers added to the police department, and we want it understood that police brutality must cease," he said. "These new men coming in—we don't want them to feel that the proper way for them to succeed and to get to the top is by beating up Negroes. It seems that in Washington, officers, instead of being reprimanded for beating Negroes, have been given promotions; and we want to put a definite stop to that."

"I am calling on the ministers and the better people of Washington to take a definite stand in this matter. I think too often we feel that because the officers beat law offenders and insignificant men and women, it means that the rest of us will be safe."

"But it does not. If they continue to beat up the lowly people and criminals, after a while they will begin to beat other Negroes—Negroes who have the audacity to stand up for their rights."

"Unless we put a stop to this sort of thing now, it is going to be very serious for us in the very near future."

The civic affairs committee of the Washington Council, National Negro Congress, together with leaders in the community, will hold a meeting on the question of police brutality on Wednesday, July 17, at 8:30 p.m., at Zion Baptist Church, 337 F Street, Southwest.

The Rev. A. J. Edwards is pastor. Ministers of all denominations have been invited to attend. Prominent speakers will be heard.

## City Aroused As Policeman Shoots Boy

*Defender*  
WASHINGTON — (ANP) — Residents of this town are expressing considerable indignation over the shooting of 10-year-old Fred Walker, Jr., by a white police officer, Vernon Deus.

around the Union station and the senate office building. It is reported the boy was shot in a room in the senate office building by the officer.

The officer was exonerated by a grand jury, that is reported to have said it had no jurisdiction in the case. Deus had been previously suspended after a delegation demanded his dismissal and prosecution. The shooting had been termed "gross negligence" on the part of the officer.

Fighting the entire matter a group organized to see that justice is done has submitted a protest to Kenneth W. Rommey, chairman of the capitol police board.

## Efficiency

A policeman shoots a ten-year-old boy in the neck. The boy was being detained for cooling off in a forbidden Capitol fountain. According to the policeman's story the boy was shot accidentally while he was returning a recently cleaned pistol to his holster. Eye witnesses claim otherwise.

Sergeant-at-arms Johnny writes to protesting organizations as follows: "... I beg to inform you that the members of the U. S. Capitol Police Board, after careful investigation, find that the shooting of Fred Walker, Jr., by Sergeant Vernon Deus, was purely accidental and casts no reflection on his efficiency as an officer."

Nearly three months ago the home of a colored citizen was bombed in our Nation's Capital. For nearly three months the police department and the Federal Bureau of Investigation have allegedly been seeking clues which will lead them to the perpetrators of this dastardly crime. The public has heard of no results.

All of which lead us to the subject of efficiency in general and police efficiency in particular.

We submit that any officer who seeks to return a pistol to its holster with his finger on the trigger is grossly inefficient. Not only might he shoot himself in the leg, but brother officers who happen to be around are definitely endangered. Such "efficient" officers are menaces

to the community they are paid to protect. Such "efficiency" is a mockery of law and order. And members of a police board who call such officers "efficient" are themselves dangerously inefficient.

We submit that if the investigation of the Harvard Street bombing is an indication of the vaunted efficiency of the F. F. I., America might as well now consider itself conquered through Fifth Columns.

But maybe (O unthinkable thought of our great democracy) maybe the color of the victim's skin has something to do with police efficiency!

## POUNCEY ACCUSES WHITE COPS OF ASSAULT

*Kansas City Kans.*  
Brutality Stars  
Citizens to Protest for Civil Protection

Charles LaBaugh and Leonard J. Johnson, two of Chief L. B. Reed's city detectives on the Missouri side who preferred to use Mississippi and Georgia tactics in dealing with James D. Pouncey, noted Negro lawyer, were arraigned Tuesday afternoon before Louis J. Mazuch, Justice of the Peace on a charge of felonious assault. The charge was filed on the complaint of Attorney Pouncey who alleged that the two officers beat him after arresting him after a traffic accident. The detectives pleaded not guilty and were released on surety bonds of \$1,000.00 each. Preliminary hearing was set for September 24. The local branch of the National Association for the Advancement of Colored People and the local Bar Association are giving their full support and aid in the prosecution of these officers.

Numerous complaints have been made from time to time by Negro citizens of assault and discourtesies shown them on the part of white officers of Kansas City, Missouri. On several occasions committees have been before Chief Reed and reported such matters. Numerous Kansas citizens who frequent Kansas City, Missouri, for picture shows, church affairs dances and other amusements

have reported similar complaints of discourtesies received while in Missouri from police officers.

Pouncey's statement to the prosecutor's office said that he was driving south on Vine street August 29 when a car struck his machine from the rear at Lynn avenue. He said the car had Kansas license and the men in it who later proved to be detectives wore plain clothes. Pouncey said he got out of his car and in an ensuing argument one of the detectives knocked him to the pavement and kicked him. It was not until the crowd gathered that the men identified themselves as city detectives. Pouncey lives at 2812 Highland and is one of the most respected citizens

of Kansas City, Missouri. At the time by Johnson knocking him to his knees of the accident he was driving a special 1919 Torpedo body Buick again in front of the sergeant with the words, "I'll teach you how to curse a white man."

According to Pouncey the officers knocked him down three times at the scene of the accident with Johnson police victim was permitted to tele-duplicating the feat at police station phone Rev. D. A. Holmes of the Paseo Baptist church, who came down No. 3 in front of Sgt. Chick. and made bail.

Pouncey stated that at the time of the accident he was driving 15 miles per hour with his home in sight one block away when a car hit his left back fender. The car pulled up 15 feet away and the men came back to the lawyer's car with Pouncey also out of his car. Here the fire works started. The police were in plain clothes. Plain Dealer Sept. 6, 1934

When the men came back to his car, Pouncey said he asked the question: "Gentlemen, what is the matter with you have you been drinking?" This simple question found Pouncey hitting the ground three times and being kicked to boot by both heavy-set LaBaugh and smaller Johnson. The men told the lawyer "get in the car". Then Pouncey asked them their identity and Johnson showed his badge.

"No, h— you are going to get in this car or you will get the h— beat out of you", the officers replied to the lawyer's question. Waiting on the white car to come and take pictures of the two automobiles, LaBaugh drove Pouncey down to the station in his car and on the way told him "I'll teach you to curse a white man." At the station, Sgt. Chick upon seeing Pouncey being brought in and knowing him said, "It looks like you have been in a bad one," thinking that Pouncey had been injured in an accident.

At this point, Pouncey started telling his story only to be interrupted



# Citizens Protest Mistreatment Of Negro At City Council Hearing

*Courier*  
**White Attorney in South Carolina Stresses that Police Officers Are "Too Willing to Use a Club."**

7-13-40  
 COLUMBIA, S.C., July 11—(ANP)—  
 Beverly Herbert, Columbia attorney, appeared before the city council this week in behalf of the two most recent sufferers of police brutality. Herbert stressed the fact that the police officer, in dealing with Negroes, often was "too willing to use a club."

W. O. Harvey, one of the colored witnesses at the hearing, testified that he was walking with a companion shortly after midnight recently when he was roughly accosted by Officer Fulmer, who asked him what he was doing, beat him with his stick, handcuffed him and threw him into jail.

Fulmer said that he approached Harvey after checking upon a certain store in the block and noticed that the safe was open. The charge placed against Harvey was disorderly conduct and resisting arrest.

W. C. Johnson, colored undertaker, testified that he was accosted by a policeman in front of his home one night recently, the officer ordering him to get off the street, declaring that it was after the curfew hour. Johnson said he walked up on his porch and the officer followed him. When he said he "would see about this treatment in the morning," the officer seized him, handcuffed him and dragged him to a police telephone. Johnson was freed only when another officer appeared and recognized him.

Officer Anderson, who made the arrest, said that he was only obeying orders when he cleared the street at midnight, and that he did not know it was Johnson that he had handcuffed.

Mayor L. B. Owens said that he had informed members of the police department that they were officers of the law and should enforce it.

## Police Brutality Common In Southern Cities

Brutality to Negroes and intimidation of them by urban policemen are conditions fairly common in all Southern cities. This situation exists because the law-abiding element of white citizens is unaware of what goes on in the city courts.

Occasionally the police beat up some Negro who is well known by the white people or who works for some white family. Publicity is given to that special case; some redress is made; then everybody settles back into complacency. This sporadic activity on the part of iniquitous white people does not change conditions. Rather does it make them much worse for the friendless Negroes who have no influential white contacts.

Police brutality—beatings, shootings, arrests on suspicion—constitutes a form of lynching which is more menacing than a mob of citizens which openly lynch.

Every city in the South should organize a committee on Legal Equity charged with a conscience and committed to the investigation of every instance of police brutality. Publicity by word of mouth through civic and religious organizations should be so continuous and insistent that all city governments would be forced to clean up their police departments.

The "Law" shot to death one Negro in Montgomery, Alabama, in May, and another Negro died in the city jail under mysterious circumstances. His head was crushed by "parties unknown." The Montgomery Advertiser says in an editorial addressed to William Preston Screws, Commissioner of Police:

"Negroes of this community give more than they receive to the cause of good deportment in this community for the reason that there are some men on the police force of Montgomery who show them no more respect and courtesy than if they were outlaws and bums. . . .

"Because Colonel Screws is a gentleman and so a man of honor, The Advertiser believes that he will no longer condone the practices of a minority in his organization which consistently, day after day, night after night, affronts and often brutalizes worthy and honorable Negro citizens of this community.

"Let Colonel Screws drive the baboons back to their jungle. They have no place in the public service of a civilized community here in the Deep South."

The immediate reaction of Southern white people to cases of abuse of Negroes by officers of the law is irritation. If they get into trouble with the law they are to blame—thus argue white people.

Columbia, South Carolina, has a curfew law—midnight is the hour. A Negro was arrested in front of his home in that city recently after midnight. He was taken to jail where another officer recognized him. He was released.

Negroes in Southern cities kill each other fairly frequently. The papers carry the stories of ice pick murders of Negroes by Negroes. Razor slashings in fights between Negro men and women result in death. Negroes are Negroes to police officers. All are regarded as potential criminals. Clubs, guns, and public opinion uphold the "law" in cases of brutality to Negroes.—The Southern Frontier. Published by Commission on Interracial Cooperation.

*Constitution*  
**Special Deputy Charged With Beating Man**  
 7-13-40  
*Atlanta, Ga.*  
**Fulton Grand Jury Indicts Watchman at John Hope Homes.**

A special Fulton deputy sheriff was indicted by the grand jury yesterday on a charge of assault with intent to murder a Negro man he accused of trespassing on

the grounds of the John Hope Homes on Peters street June 30.

He was T. D. Smith, deputized by Sheriff J. C. Aldredge to be watchman at the low-cost housing project for a private construction company.

Witnesses before the jury yesterday, who included Dr. W. T. Hunnicutt, pastor, and W. B. Teague, businessman, were understood to have testified Smith beat Robert Taylor, Negro, over the head with a pistol and then shot at him several times on the sidewalk near the Hope Homes.

A week ago, Taylor was bound over to the criminal court by Judge Luther Z. Rosser upon Smith's accusation that the Negro committed assault and battery.

Sheriff Aldredge said that Taylor, who was sent to Fulton tower June 30, had to be taken to Grady hospital several times for treatment. He suffered concussion of the brain, it was said.



# Confessed "Under Pressure" Prisoner's Claim; "Guilty, No Mercy" Jury's Verdict

*Courier* 7-27-40  
**Death Sentence Mandatory in Case of 26-Year-Old**

**Willie Bush—Doomed Man Says He Was**

**Afraid to Talk**  
*Pittsburgh, Pa.*

MIAMI, Fla., July 25—Despite his contention that he had confessed to committing the crime only after he had been beaten and kicked by a State investigator, Willie Bush, 26-year-old man, jointly indicted with three others, one of them a woman, for the robbery-murder last March, of Sinclair Miller, was convicted here Thursday of first degree homicide. The death sentence is mandatory in view of the fact no recommendation for mercy was made by the jury.

During his trial, Bush when placed on the stand protested his innocence, charging that following his arrest he was kicked in the stomach and beaten with a section of rubber hose by State Investigator L. R. Mills. The beating, he claimed, was administered while he was tied to a chair, and the officer kicked him so hard the chair was overturned. Intimidated by this treatment, he added, he had confessed to a crime he did not commit. Asked why he had since denied mistreatment, he replied the denial was made because of fear of the consequences if he told the truth.

The State Investigator made a sweeping denial of the beating and kicking charge, which was supported by the testimony of four other State witnesses.

## INQUEST TO BE HELD IN PRISONER'S DEATH

*Commercial*  
**Further Inquiry Is Ordered In**

**Richardson Affair At**

**Penal Farm**

8-8-40  
An inquest and, if necessary, an autopsy has been ordered for 10 o'clock this morning to determine the cause of death of Roger Richardson, negro prisoner who died at the Shelby County Penal Farm last Wednesday.

It was also learned yesterday that the county is facing a probable damage suit for "wrongful death" of Richardson, which will be brought by his sister, Lydia Carraway, negro, of Wilson, Ark.

**Prisoners Charge Beating**

statements that his death was caused solely by heat retention or prostration, that there were no external evidence of any injury that could have caused or contributed to his death.

8-8-40  
"There is nothing that I can add to my knowledge of the conditions at the Penal Farm and the treatment of prisoners there by any formal investigation. I am at the Penal Farm every week day at least once and sometimes twice. I have been constantly on the roads where the gangs are at work since I assumed the duties of commissioner of the Penal Farm, Roads and Bridges. It happened that at the time the gang in which Richardson, the prisoner, was working was in the south end of the county that I was on the job building the new Powder Plant Road, near Millington, in the north end of the county.

### Interviewed Prisoners

"So soon as the report of Richardson's death was known to me I interviewed every prisoner in his gang and secured written statements from each of them and I also secured statements from all prisoners who had seen him on his return to the Penal Farm as well as doctors, guards and officials who knew anything about circumstances surrounding his death.

"Richardson's death was of course an unfortunate occurrence and we all regret it deeply, but we feel that we have nothing whatever to cover up and nothing whatever to apologize for, either in connection with the treatment accorded Richardson or in the treatment accorded other prisoners in our charge at the Penal Farm. So far from being ashamed, we are proud of the institution and the relations existing there between the authorities and the prisoners."

### Work Refusal Claimed

Commissioner Ellis found Friday that Richardson had refused to return to work after the rest period. The negro scuffled with a guard, who struck Richardson three or four times after another guard knocked the negro down.

The first guard, Wilson, and the foreman of the gang, Morrow, were fired for not telling Squire Kearney of the scuffle.

Richardson was a West Memphis negro and was serving out a fine for drunkenness. Burial was first scheduled for Monday, then postponed. Coroner C. W. Miller yesterday ordered the burial delayed again, pending the inquest and possible autopsy.

### Doctors Blame Heat

"Both the doctors who attended Richardson before his death and Dr. Boyd who has since examined the body have given me sworn

# Major Brown Admits He's Powerless to Cope With Police Brutality Cases

Although exhibiting a sympathetic attitude toward the protestations against police brutality in the District of Columbia, Major Ernest W. Brown, police chief, declared on Thursday that disciplinary authority is so limited as to make him almost powerless to correct some of the outrageous actions of the force.

The declaration was made to a delegation of approximately thirty-five persons representing civic, labor, fraternal and religious groups who called at the chief's office to register complaints against the increasing incidents of police violence.

The delegation was headed by the Rev. Arthur W. Gray, Plymouth Congregational Church, Henry Lincoln Johnson, Jr., president of the Washington Bar Association, was the spokesman.

### Urges Cooperation

Major Brown assured the group of his willingness to cooperate and requested that persons having knowledge of instances when police use violence or insulting language to report to his office the name and number of the officer.

The delegation made three specific demands upon the police head. One was for the immediate suspension of three officers—Swanson, Cooper and Wilson—involved in recent assaults upon colored citizens. Major Brown asked for information on two beatings charged against Officer Swanson since a formal complaint was lodged against him in a previous case. The chief indicated that suspension might follow if proof of these continued assaults could be established.

The group asked further that Major Brown or a representative appear with the delegation in conference with the District commissioners, who asked that greater disciplinary authority be granted to the chief in order that he may be in a position to take prompt action when complaints are registered against lawless policemen.

It was also requested that supervising officers in all precincts be instructed to impress upon

their subordinates the regulations regarding the handling of persons under arrest and the use of firearms.

Various members of the delegation complained of the discourteous attitude of policemen and insulting language used towards colored persons, both adult and children.

Mr. Johnson informed Major Brown that colored citizens as well as many whites in the District regard the current revival of police brutality as a situation so critical as to require more drastic action than the slow-moving police procedure.

### 15 Cases Exposed

He stated that a very limited inquiry by civic-minded groups had exposed fifteen cases of police beatings in the last six weeks. "These must represent," he said, "a very small proportion of those which have not been reported to any organization or police authority because the victims do not know how to proceed in making such complaints or have been so terrorized that they are afraid to take any action which would endanger themselves or others."

Other members of the delegation included:

Mrs. Mary Mason, Dr. Altheus Hunton, Mrs. Dorothy S. Strange, American Federation of Teachers; Milton Best, Dean George A. Parker of the Terrell Law School, Dr. H. R. Callis, J. R. Anderson; Thurman L. Dodson, Eugene Davidson, New Negro Alliance; the Rev. L. C. Collins, Third Baptist Church; Miss Bertha Blair, Hugh Miller, Mrs. Sara V. Duvey, Ward Demman, Mrs. Elkin, Committee for Democratic Action;

Robert Robinson, Workers' Alliance; Edward Folder, Communist party; the Rev. A. F. Elmes, People's Congregational Church; W.

D. Nixon, Federation of Civic Associations; Or. Amanda Hilyard, Interracial Commission; S. Robinson, Elks' Civil Liberties Department; Belford V. Lawson, Alpha Phi Alpha; Mrs. Estelle White, East Central Civic Association; Mrs. Gertrude Stone, NAACP, and Mrs. Carrie McDuffie, National Negro Congress.



# Capital Aroused By Shooting of Youth

WASHINGTON, D. C. — Residents here are expecting considerable indignation over the shooting of 10-year old Fred Walker by a white police officer, Vernon O. Deane.

The colored lad was of several splashing about in one of the many pools down around Union Station and the Senate Office Building. It is reported the boy was shot in a room in the Senate Building.

The officer was exonerated by a grand jury, reportedly because it had no jurisdiction. Deane had been previously suspended after a delegation demanded his dismissal and prosecution.

A group organized to see that justice is done protested to Kenneth W. Rommey, chairman of the capital police board.

## Special Deputy Sheriff Is Indicted In Man's Beating Negro Beaten By Sheriff Left To Die

### Assault With Intent To Murder Charged Deputy

on a charge of assault with intent to murder a colored man he accused of trespassing on the grounds of the John Hope Homes on Peters street June 30.

The victim was listed as Robert Taylor.

Smith had been deputized by Sheriff J. C. Aldredge to be watchman at the low-cost housing project for a private construction company.

According to witnesses before the grand jury, Taylor was beaten over the head with a pistol and shot at several times on the sidewalk near the Hope Homes.

Witnesses against Smith included Dr. W. T. Hunnicutt, a minister, and W. B. Teague, businessman.

A week ago, Taylor was bound over to the criminal court by Judge Luther Z. Rosser upon the deputy sheriff's accusation that he committed assault and battery.

Sheriff Aldredge said that Taylor, who was sent to Fulton tower June 30, had to be taken to Grady Hospital several times for treatment. Taylor suffered concussion of the brain, according to reports.

ST. FRANCISVILLE, La., Sept. 13 (By Leon Lewis for ANP) — From the shadow of the St. Francisville court house, two truck loads of hoodlums lead by Sheriff Ted Martin snatched James Smith from the car of his New Orleans attorney, hustled him to a nearby wooded sector, beat him with trace chains and brick-bats and left him to die.

James Smith, a New Orleans longshoreman, had gone with his attorney Charles J. Mundy to St. Francisville, where he had entered a civil suit for damages and false arrest against Ewen Ritchie in the sum of \$12,000.

In May of this year Smith's automobile en route from St. Francisville on a visit, backfired and scared a mule which jumped upon his car damaging the car and then falling to the ground breaking its neck. He reported the accident to authorities in a nearby town.

Later he was arrested in New Orleans, taken back to St. Francisville and tried for reckless driving. He was released and Atty. Mundy immediately filed damage suit.

On last Monday, the court decided in favor of the defendant, Ewen Ritchie. At the end of the trial, Mundy and Smith came out of the courthouse to return to New Orleans.

Upon reaching his car Mundy discovered all the tires had been deflated and that Ritchie and three other white men were responsible. After having the tires fixed he went back into the courthouse to file affidavit against the quartet.

It was while he was in the courthouse that the truck load of hoodlums took Smith to the wooded section and attempted to lynch him, leaving him to die.

Mundy searched vainly for him and tried to return to New Orleans.

As he travelled slowly on the highway, not far from St. Francisville, he saw an object of human dimensions staggering out of the woods. It was Smith, bleeding and marred with lacerations from chains and brick-bats.

Mundy rushed him to Baton Rouge hospital for first aid and then brought him to New Orleans' Charity hospital, where he is now confined with a fractured jaw, scarred and bruised head and body.

Smith stated that he recognized Sheriff Ted Martin, A. P. LeBlanc, a white man of Tunica, Ewen Ritchie his attorney and two brothers.

Attorney Mundy stated that he would fight the incident to the U.S. Supreme court if necessary to get reprisal. He stated that it is the first time in this state that a public officer has led a lynch mob, and that he cannot see for what reason the hoodlums would want to lynch Smith after they had won the case.



# Three Policemen Held As Lunchers

## ARRESTS FOLLOW PROTEST

Fourth Man Also Being Detained in Connection

with Worker's Death

*Amsterdam News*  
BIRMINGHAM, Ala.—The indictment of three police officers and another man, all white, upon whom responsibility has been placed for the brutal lynching of O'Dee Henderson, 24-year-old steel worker, in the Fairfield police station here three weeks ago because he was "impudent," is stirring up much sentiment in the community.

One man, Councilman Brandon, even went so far as to say during an investigation by the City Council into the murder, that Negroes have got to be "put in their places." When I tell a Negro to do something, I expect him to do it. If he doesn't, I hit him."

The investigation followed protests by the Rev. Ted Hightower, white Methodist minister, other local citizens, and the N. A. A. C. P. which is fighting the case.

Henderson was said to have been savagely beaten with a strap and blackjack by Officers M. M. Hapgood, Cook, Glenn and Nelson according to testimony at the public hearing. Finally Nelson allegedly drew his pistol and fired three bullets into the youth's body. The steel worker had been arrested because he resented being pushed by Officer Hapgood in the street.

"I beat him with all my might

in sweet revenge," Officer Hapgood testified.

Councilman W. W. Brown testified that Negroes are often beaten at the jail.

"If it hadn't so happened that they killed Henderson," he declared, "his beating and all other beatings would never have come to light."

All the defendants were placed in jail and bond set at \$2,500 each. The officer who shot and killed Henderson was suspended from the force and kept in jail nearly two weeks unable to raise bond. The cases are scheduled to come up for trial on June 17 and 24.

## 2 Policemen

## Accused Of Brutality

*Washington Post*  
Sept. 6, 1940.

A District grand jury Wednesday night had under advisement testimony of alleged brutality of two Third Precinct patrolmen who were suspended at noon yesterday.

Between 16 and 18 colored persons, ranging in ages from 15 to 60 were heard by the jury yesterday afternoon. They had first complained to police officials.

Priates Henry J. Martin, 40, and James E. Stabler, 29, were relieved of their shields and revolvers by Inspector Edward J. Kelly at 12:05 p. m. yesterday after the inspector had taken statements from each of the complainants.

The policemen, Kelly said, refused to make a statement.

Witnesses Found *Washington Post*

Kelly stated the men were suspended on charges of assault "on at least six or seven colored persons" at different location on their beat September 2, Labor Day.

Inspector Kelly said he received several complaints Tuesday concerning alleged brutality of two policemen Monday night. Investigation, he said, uncovered nearly a score of witnesses and "six or seven" per-

sons who were assaulted.

Martin, according to Kelly, was identified by six persons in a lineup with several other men. Stabler, he said, was not identified, but was Martin's partner on that night, and each complainant said there were two policemen present.

The assaults, the complainants told Inspector Kelly, took place at different locations "between 10:45 and 11:55 p. m." One man was struck over the head with a nightstick, it was said. Another was kicked several times.

Home Invaded, He Says

One 59-year-old colored man, Kelly declared, signed a statement that two officers invaded his home and beat him "without provocation."

The assaults took place in Snow's Court northwest, at Twenty-fourth and I streets northwest, Twenty-fifth and K streets and at New Hampshire avenue and I street, Kelly stated.

"In none of the cases did the officers make any arrests," the inspector asserted.

Assistant District Attorney Allen J. Krause was present when Inspector Kelly interviewed and obtained statements from the complainants.

## Probe Death Of Prisoner on Tenn. Penal Farm

MEMPHIS, Aug. 22—(ANP)—With evidence developed, indicating that Roger Richardson, Shelby county Penal Farm inmate, died last week from a beating at the hands of a guard rather than the heat as alleged by prison officials, Chief of Police Oliver Perry assigned two deputy sheriffs to investigate the case. The dismissal of a gang foreman, P. O. Morrow, and a guard, L. G. Wilson, followed closely Richardson's death. This action, according to County Commissioner C. B. Ellis, was taken not because of Richardson's death, however, but because the circumstances were incorrectly reported.

The action of Chief Perry in scheduling two deputies to the case came after a prisoner wrote him, declaring Richardson's death to be the direct result of a beating by a guard, who is said to have struck him three times after he had fallen to the floor.

## Seeking Funds to Fight Against Police Brutality

*Washington Post*  
9-7-40

Looking toward obtaining additional workers and more funds to continue its campaign on a permanent city-wide basis the Citizens' Committee on Police Brutality will hold a special meeting this (Thursday) evening at 8 o'clock in the Twelfth Street, YMCA.

A Langston Taylor is chairman of the committee which is composed of representatives of labor, civic, fraternal and religious groups. Thus far financial support for the organization has come from those interested in the program.

*Washington D.C.*  
20 Cases Investigated

Efforts are being made to obtain more organization members and individual members. Since its formation, the committee has investigated twenty cases of police brutality. Conferences have been held with Major Ernest W. Brown, superintendent of police, and with the district attorney's office.

Seven committees on community activities have been organized and five community mass meetings have been held. The future program calls for a conference with the District commissioners, a radio broadcast, and a city-wide mass meeting featuring a public trial of a police officer charged with murder.

## PROBE DEATH OF PRISONER HELD ON PENAL FARM

*Nashville Globe and Courier*  
August 30, 1940  
*Independent*  
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# Police Brutalities Toward Negroes Receive Attention Through Dixie Daily Paper

White Friends Of Victims Demand The Officials Investigate Cases And "Something Be Done About It"

## Race Leaders Demanding Fair Trials

One Negro Shot to Death, Another Fatally Beaten in Jail Cell.....Montgomery Adviser, In Editorial, Scores Cops' Cossack Methods, as Many White Friends of Victims Demand That "Something Be Done About It"

MONTGOMERY, Ala.—(ANP)—Never, within the memory of the oldest Montgomery resident, has the white citizenry here been more incensed than at present, over the brutal treatment of Negroes by Cossack members of the police force who seemingly take advantage of every opportunity to go down to the Negro section and "crack a few heads."

The whole, nasty situation was smoked out in the open last week when the cops made the mistake of picking two victims who were respected members of the community and who had scores of influential white friends. Following a barrage of letters and numerous visits from these kindly-disposed whites, the Montgomery Advertiser last week, blasted out editorially against brutal police methods and the black stain cast upon the City's escutcheon.

The Advertiser called upon Col. William Preston Screws, Commissioner of Police and Fire, to rid the department of these Negro-hating cops and "drive the baboons back to their jungle." Advertiser's splendid editorial said in part:

There is considerable indignation in Montgomery over the fact that within a period of less than two weeks policemen have shot to death one Negro man and that one other died under mysterious circumstances in a cell in the city jail. His head was crushed, by whom one does not know. Another was shot in the arm.

The death of Nap Rowland, the diminutive, ill-favored Negro who died in the cell of the city jail

leaders and good Negro citizens who are not in positions of leadership constantly counsel their people to observe the law, to deport themselves acceptably to their neighbors, white and black. They cooperate to the best of their ability with the city government and all of its agencies to repress the lawless, rowdy and ignorant members of their group.

We say that the orderly, high-minded Negroes of this community give more than they receive to the cause of good deportment in this community for the reason that there are some men on the police force of Montgomery who show them no more respect and courtesy than if they were outlaws and bums. This isn't a rhetorical flourish but a simple statement of fact which every honest citizen of Montgomery knows to be true.

Such is our confidence in the character, the courage and the instinct of William Preston Screws that we do not hesitate to appeal to him to instruct his men, high and low, in the principles of common courtesy in their relations with all citizens regardless of color, and to restrain his men from wantonly killing, assaulting and insulting "niggers," and to abstain from defending brutes who night after night are bringing his department into popular disrepute.

Because Colonel Screws is a gentleman, and so a man of honor. The Advertiser believes that he will no longer condone the practices of a minority in his organization which consistently, day after day, night after night, affronts and often brutalizes worthy and honorable Negro citizens of this community.

Let Colonel Screws drive the baboons back to their jungle! They have no place in the public service of a civilized community here in the Deep South.

The Negro leadership of the community, the intelligent, well-disposed Negro citizens who desire only a fair deal at the hands of their white neighbors and friends, would certainly be the last among us to deny the necessity of firmness upon the part of law officers in dealing with large numbers of backward, undisciplined and often criminally disposed Negroes. That type of Negro is as much of a burden and source of grief to the sensible and decent people of his race as he is a problem to officers of the law. Responsible Negro

## POLICE BRUTALITY

# Dallas Negroes Aroused By Brutal Beating To Death Of 15-Year-Old Boy By Policemen; Probe Demanded

DALLAS, Texas.—Because the local branch of the National Association for the Advancement of Colored People was not satisfied with explanations given out by officials of the state training school for boys, in connection with the death of 15 year old Ernest McDay on Wednesday, May 14, one of the most brutal police crimes against Negro youth in the history of Texas, has been uncovered.

Young McDay, Teodora Muldrow, 13, and Albert Wesley Jr., had been charged with fatally attacking a 51-year old white woman on April 23. Muldrow was sentenced to death by an all-white jury that handed in its verdict within 20 minutes. Wesley's trial comes up this week. McDay was sentenced to serve not less than four years in the state training school for boys, thus escaping the death penalty because of his youth.

According to local newspaper reports, McDay, who had appeared before Criminal District Judge Henry King on Tuesday, was delivered to the training school the following morning at 9:25 by B. O. Snellen and E. E. Wallace, assistant county juvenile officers. Wednesday evening at 6:30 o'clock a report was given to Earl R. Parker, county juvenile officer, by officials of the institution stating that McDay had just died of coronary thrombosis, and a blood clot in the heart, that developed from the effects of syphilis.

## Autopsy Reveals Beating

Calling for an autopsy to determine the correctness of this report the N.A.A.C.P. received the report which blasted the whole lie of McDay's having syphilis, and showed that he had been beaten to death.

According to Dr. J. L. Goforth, pathologist connected with St. Paul Hospital, who performed

the autopsy, there were numerous scars and abrasions on McDay's face and body. The heart was in perfect condition, proving definitely that there was no taint of syphilis and a total absence of evidence of coronary thrombosis or any other heart trouble. All the boy's vital organs were in such a healthy condition that it indicated positively that the youth died from unnatural causes. According to Dr. George F. Porter, secretary of the local N. A.A.C.P. branch, Negro citizens of Dallas are aroused as they have never been before over this brutal crime. It is the sentiment of citizens, he said, that law enforcement officials, cheated out of the electric chair death of McDay, because of his youth, have seen to it that death overtook him anyway.



# BLAST REPORT YOUTH DIED OF HEART TROUBLE

## Coroner's Physician Finds Victim Dead of Beating By Texas Officials

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Dr. Porter said the association will take steps to bring the guilty officials to justice, and will leave no stone unturned to carry the case through the courts.

## Boy, 16, Describes Burning

## Verdict Returned After Deliberation Of 45 Minutes

City Policeman W. F. Sutherland, accused of torturing a 16-year-old David T. Howard School pupil with a hot iron, was acquitted by a Fulton Criminal Court Jury Thursday afternoon at 5:40 o'clock. The jurors returned the "not guilty" verdict 45 minutes after retiring to deliberate the officer's fate.

The trial was started Thursday morning around ten o'clock, shortly after the jury was selected and state and defense witnesses sworn in. The prosecution presented less than 12 witnesses while the defense put close to 23 on the stand.

## INDICTED LAST MARCH

Attorney A. A. Allen represented Officer Sutherland and Solicitor Bond Almand and Assistant Solicitor Henry T. Collettly

prosecuted. The officer was indicted last March by Fulton County and Federal grand juries on charges of burning and torturing Quintar South, of 39 Thayer Avenue, S.E. He was suspended from the police force after the bill of indictments were returned.

Trial by a Federal Judge was postponed indefinitely recently when defense attorneys contended that the U. S. court has no right to try Sutherland. Judge Underwood ordered briefs filed by both sides and promised to conduct a hearing on the matter.

## SAYS HE WAS SLAPPED

Arrested with several other South Atlanta boys on suspicion of burglarizing the Clark University gymnasium, South said he was carried to City Jail February 26. He said Officers Sutherland and M. R. Dodd fingerprinted them the next night.

South testified that Sutherland took him to the identification room of the Police Station the following night and tried to make him confess the burglary. The boy accused the officer of slapping him and trying to cut his fingers off with a paper cutter.

South said the officer burned him on the arm and throat with an electric iron after taking him into the photographic developing room of the identification department of the City Jail.

The boy told the court that he told no one of the burning but boys occupying the cell with him.

## DENY CHARGES

Both Sutherland and Dodd denied the charges. A host of other city and county policemen who testified for the defense said they did not see any signs of burns on the boy and that South never mentioned to them that he had been tortured or burned.

It was brought out in the testimony that the boy spent time in City Jail, Fulton Tower and the Juvenile Home before charges were made against the officer.

Mrs. C. E. Harris, wife of a Southern Bell Telephone executive, testified that she reported the case after visiting Quintar at the Juvenile Home. She said the boy had been employed by her as a yard worker.

## HE SAW SORES

Harold Martin, Atlanta Constitution reporter, said he saw sores on the boy's body.

South said he and the officer

were in the small room alone when the 'burnings' took place.

The case tried Thursday was transferred from Fulton Superior court to Judge Wood's lower division of Fulton Criminal Court.

# SEEK COUNCIL HELP IN BRUTALITY FIGHT

The Brooklyn Civil Rights Committee of the National Negro Council asked Councilman Walter Hart this week to introduce a resolution in the City Council "calling for a councilmanic investigation of police brutality and discrimination in Brooklyn."

This demand was made by Frank Griffin, chairman of the group, following the alleged "slapping" of a school girl by a patrolman who was stationed at a school crossing, a few weeks ago.

Griffin told Councilman Hart since 1934 despite the enormous increase of policemen in the uptown area, the juvenile delinquency has increased 18%, which clearly illustrated that the enlarging of police power in the sector was not the remedy for the problem.

Letters are being forwarded to other councilmen by the Congress asking them to support the resolution if it is introduced.

## Policeman Faces

## Assault Hearing

Hearing on a warrant charging City Policeman G. S. Robertson with assault and battery in connection with the arrest of a Negro is scheduled at 10 o'clock this morning in the civil court of Fulton county.

Robertson is accused of mistreating Earl Sands in a warrant sworn out by William C. Henson, an attorney, who charged Robertson beat the Negro, wrapped a chain around his neck and dragged him. The policeman reported the Negro resisted arrest and was drunk.

Yesterday in recorder's court Sands was fined \$34 after conviction for disorderly conduct.

# SAYS SERGT. SMITH HIT HIM WITH BLACK JACK

Harold C. Jones, one of the three Jones Brothers, testified in Municipal Court Thursday that Sgt. George F. Smith of the Warren Avenue Station, struck him with a blackjack Wednesday, July 24. Smith denied this and declared that he had ordered

the Brooklyn Civil Rights Committee of the National Negro Council asked Councilman Walter Hart this week to introduce a resolution in the City Council "calling for a councilmanic investigation of police brutality and discrimination in Brooklyn."

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The complaints issued last Friday by Judge David B. Kenniston charged Sergt. Smith with assault and battery on Jones and Black and with refusing to give a reason for the arrest of Black on July 24.

Atty. W. S. West is counsel for the complainants.



## Says Police Beat Him 'For No Cause'

By EULUS L. NANCE

Denying guilt of any kind of lawbreaking and charging he was brutally beaten by one of two arresting officers because they "figured I was the one who told William McHenry they were looking for him", Willie Humphrey, 40, of 825 Mitchell Street, S. W., was tried at 9:30 o'clock yesterday morning and bound over to a \$100 bond.

Humphrey's trial in Recorder's Court, originally set for morning court Thursday before Judge Cone, was reportedly shifted by him to Friday morning before Judge Caloway because the former found no traffic violation was involved. Humphrey was booked at police headquarters on the charge of "interfering with an officer", the arresting officers being Radio Patrolmen James (Big Jim) Galvin and J. D. Adams. Galvin was at one time a catcher for the Atlanta Crackers baseball team.

In reviewing to a WORLD reporter Friday morning events leading to his flogging "for no cause whatever", Humphrey, a driver for the Harlem Taxi Cab Lines, said he was parked in his city cab at the bus terminal on Carnegie Way Thursday morning around 2:30 o'clock when Officers Galvin and Adams cruised along, ordered him to get into their radio car and drove off.

### STRUCK WITH LOADED HOSE

According to Humphrey, who is an older brother of George Humphrey, former baseball star with the Atlanta Black Crackers, Highland Stars, and Atlanta White Sox, Patrolman Adams drove the machine and, during the time, Patrolman Galvin struck him with a short piece of rubber hose loaded with some heavy substance.

## PARENTS OF YOUTH SUE FOR \$50,000

ing a gun in court. In the meantime, the parents of the assaulted youngster have sued Bradley and the Avenue theatre for \$50,000. The boy, who is one of 23 children in the Cater family, is still under the care of a physician.

Chicago's Avenue Theatre Named Defendant—Beaten Boy One of 23 Children.

CHICAGO, Ill., Feb. 29.—A friendly slap on the back literally knocked John Bradley, special policeman for a movie theatre here, into a cell for an additional thirty days last week, after he had been fined \$100 and five days by a judge in Boys court for striking 16-year-old Willie Cater, who had refused to return to his seat while attending the Avenue theatre. Brought into court on an assault charge, which stated that Bradley had struck young Cater with his gun, Judge Frank M. Padden fined the special policeman \$100 and added that no policeman has the right to take advantage of his position. The judge ruled that Bradley had taken too much liberty with his gun and overstepped his bound as a special policeman.

As Bradley stalked from the court, obviously disgruntled over the fine, the court bailiff, Frank Paul, gave him a sympathetic slap on the back as though to assure the policeman there was at least one person in the courtroom with an understanding heart.

The well-meaning slap on the back, unfortunate for Bradley, proved to be an omen of bad luck because the court bailiff's hand struck something hard. He looked under Bradley's coat and found a holster with a revolver and a round of ammunition.

Informed of the concealed artillery, Judge Padden tacked an additional thirty days onto Bradley's sentence—for contempt in carry-

## Second Victim In Week Felled By Police Bullets

Another victim of police gunshot was listed in Atlanta Wednesday while two others remained in Fair condition at Grady Hospital.

Shot between the knee and thigh his right leg broken, Charlie Preston, 28, of 487 Johnson Avenue, N. E., was in custody of police at Grady Wednesday.

City Patrolmen McNaughton and Dillingham reported they answered a call to a Forrest Road address early Tuesday morning and were backed up in the investigation by Officers Rhodes and Varnum.

Officers McNaughton and Dillingham said they heard two shots fired as the search for a prowler proceeded at the home of Miss Mary Oehler, white.

They said they went in the direction of the shots and found Officers Varnum standing near Preston, who lay wounded on the

### Slug Breaks

### Man's Leg In New Shooting

ground. He was carried to Grady where it was found his leg had been broken.

The white woman reported that she was awoken by a noise at her bedroom window. She said she saw a man with a flashlight trying to enter her room through the window. She telephoned police after slipping from bed.

Police said Preston was wearing rubber overshoes and gloves and had a sweater and a pair of hose which he admitted came from a Cohen-

hill Avenue residence. There was no report of a theft in that section, however.

As soon as Preston's condition permits, he will be transferred to police headquarters for further investigation.

The condition of Joseph Terrell, 19, of a State Street address, who was shot by police last Saturday, was said to be "fair" at Grady Wednesday. Terrell was reportedly shot during a chase by officers who saw him with a bottle in his hand and thought it contained illicit whiskey.

Also reported in fair condition was Dunlap Yarby alias Alex Stafford, who was wounded several weeks ago during an encounter with officers, said to be the result of a mad rage over an attempt to dispossess him of his rented house.

## FIVE PERSONS ARE BEATEN BY COPS, CHARGE

Other incidents of police brutality in the District of Columbia were brought to light this week, according to the West End branch of the Communist Party.

"Early Sunday morning, William Anderson of 2403 Snows Court, allegedly was stopped by Officers Swanson," said a spokesman for the group this week. "Anderson told the officer he lived at

the Snows Court address, whereupon the policeman pulled him into the apartment and started pushing Anderson around, tearing his shirt off and beating him with his 'billy.' "Miss Susie Heberson, who lives in the same apartment, asked Swanson why he was beating Anderson. For an answer Swanson turned on her and struck her over the head. Later, she was taken to Emergency Hospital for treatment."

Outside the building, according to the informant, Nathaniel Brooks, 16, was struck by a policeman. Raymond Nickens was arrested for not moving fast enough. Mary Anderson, sister of William Anderson, was hit across the head and knocked unconscious and other people around the place were beaten up.

"There are too d..n many n.....rs here," one policeman is charged with having said," according to the Communist spokesman. "We are going to drive some of you out." That is the story. The beatings were a deliberate attempt by the police to terrify the Negro people who lived there. The West End branch is calling upon all organizations, churches and individuals in the city to demand an end to such things and demand that Officer Swanson be brought to trial. The address of the Communist Party is 527 Ninth Street, Northwest."



# RECENT BEATING OF INFORMER EDITOR GETS NATION WIDE ATTENTION FORMER TEXAS NEWSPAPERMAN MAKES INQUIRY

**Albert White, Now on Staff Of St. Louis Weekly, Writes Gov. O'Daniel To Determine Policy Of Texas Highway Patrol; Seeks To End Brutality Towards Negroes.**

ST. LOUIS, Mo.—(Special To The Negro Labor News)—National focus has been cast upon the state of Texas through the recent beating by Texas highway patrolmen of Carter W. Wesley, editor of The Informer publication. This week found all the national Negro publications carrying stories of the brutality and the regime under which such occurred.

Albert White, former Texas newspaperman and now a member of the staff of the St. Louis Call recently wrote a letter to Governor Lee O'Daniel urging him to investigate the occurrence to report whether or not this was the customary procedure for the highway patrolmen in Texas and whether the editor was in fault.

The letter of Whites to Governor O'Daniel states clearly that people from other sections in the country have fear of traveling in the state of Texas and that if continued brutality takes place it is certain to rob the state of Texas of many an outside dollar which taken away would definitely injure the economic status of the nation's largest state.

White pointed out in his letter that if such prominent and intelligent individuals of Mr. Wesley's caliber were going to be subjected to such treatment for no just case or reason, it would create a deplorable state of conditions and a situation which inevitably would lead to certain disharmonies and economic disorders within the state.

White's letter to O'Daniel followed the beating of Carter W. Wesley, editor of the Informer publications on May 6 by two highway patrolmen this side of Springs. As the incident goes the editor was beaten on the accusation that he was waving at a white man. Following the beating on the highway, the editor was taken back to Conroe and there given a thorough going over by the officers and lodged in jail. He was not released until after his wounds had gone down although his lawyers appeared with money for his bail.

Miss Caroline Coleman, who was accompanying Mr. Wesley was lodged in jail out did not suffer any brutality.

White's letter in full follows:

May 13 1940.

Hon., W. Lee O' Daniel,  
Governor of Texas  
Austin, Texas

Dear Sir:

We have a report that Carter W. Wesley, attorney and publisher, who owns The Houston Informer, a Negro weekly, was beaten by two highway patrolmen the afternoon of May 6, and lodged in the Conroe jail.

Because of the prominence and intelligence of this individual, we are inclined to consider his version.

We are writing to obtain the results of your investigation, and to ascertain from you if this treatment is typical and prevalent for Negroes either living or traveling in your state from other sections.

We represent the largest Negro publishing plant in the middle-west and we feel certain as chief executive of Texas you value the esteem and goodwill of all people, including those of our section whose visits to your state can mean economic advantage.

An expression from you will allay some of the sentiment which will develop throughout the country among our people especially at a time when those of us in this section are trying so hard to develop sentiment for Mr. Garjner.

Yours truly,  
ALBERT WHITE  
ST. LOUIS CALL

## TWO OFFICERS BEAT EDITOR ON HIGHWAY

**Carter Wesley Knows No Reason for Arrest Or Attack**

HOUSTON, Texas.—Carter Wesley, well known editor and publisher, was en-

route from Dallas to Houston last Monday afternoon, two highway patrolmen forced him off the highway, about two miles south of Springs, Texas. The officers ordered him out of the car and started kicking and beating him.

The publisher came out of the fray with a black right eye, showing the heel of one of the officers, a lacerated top lip, lacerations on both shoulder blades, a severe bruise on the right leg just below the knee, which hampered his walking and other bruises.

When Mr. Wesley asked the officers what was it all about, they replied "What're you doing waving at people on the highway?" and continued to strike him. When he denied he had waved at any one or molested anyone in any way, they told him, "Don't contradict me now," and ordered him out of the car, jumping on him causing the injuries described above.

### Companion Failed

Mrs. Carolyn Coleman was riding with Mr. Wesley enroute to Beaumont and New Orleans. Mrs. Coleman was not attacked, but was thrown in jail with Mr. Wesley. They were kept in jail at Conroe for 24 hours, regardless of the efforts made by friends and an attorney to make bond for Mr. Wesley. He was released about 3:30 p. m. Tuesday on \$1,500 bond. Trial is set for May 18, at Conroe.

The bond was set at \$200 at first, but when an attempt was made by the publisher's friends to get him out, the bond was raised to \$1,500.

Percy Foreman, attorney for the publisher, has been asking why the officers needed to attack the publisher even if he did wave at some one.

After the officers drove all the way back to Conroe they first charged the publisher with disturbing the peace. Then one of the officers saw how his face was swelling up, he called the other officer aside and they whispered to each other, pointing to the publisher. They then came back to the desk and added the charge of resisting arrest.

The arrest and beating was one in a series that has happened to Negroes driving good looking cars.

## Death Claims Penal Farm Prisoner

MEMPHIS.—The death of Roger Richardson, an inmate at Shelby County Hospital has aroused many Memphians, both white and Negroes. The cause of such feeling that has come about is the queerness and unusualness of the victim's death that shortly followed a severe flogging and cruel punishment. Although several doctors are said to have made examinations and found that Roger's death was not attributed to the severe beating, but to heat prostration. Statements from many inmates let us know that Rogers was beaten severely; also scars on the victim's body show us that severe beating had been given.

What are we to accept for truth in the case? Are we to believe the doctors' statements, or are we to accept statements from other inmates, bruises about the victim's body and the fact that the two guards in charge were fired.

Although Rogers had committed a crime, we feel that he should have been treated humanly while serving his punishment, and not resisting.



# JUDGE RULES EVIDENCE INSUFFICIENT TO HOLD TWO OFFICERS FOR TRIAL

## Carl Padgett Admits He Struck Lawrence Berry With Blackjack But Says He Thought Youth Lunged at Him

but was not in an intoxicated condition.

KANSAS CITY, Mo. — Charges of felonious assault were dismissed against Carl Padgett and Glenn C. Wood, policemen accused of beating a Negro youth, at a preliminary hearing Wednesday in the courtroom of Justice J. J. Dougherty.

The two officers were charged with brutality by Lawrence Berry, 21, 1117 East Forty-fifth street, who said that he was beaten by Padgett on the morning of April 3 in front of the barbecue place at Twenty-fourth and Forest.

At the preliminary hearing, Berry positively identified Padgett as the officer who hit him over the head with a blackjack. Padgett admitted that he hit Berry, saying that the youth lunged at him as if to strike him.

In dismissing the charge against Padgett, after hearing witnesses on both sides, Justice Dougherty said that insufficient evidence had been produced to bind the officer over for trial, in the circuit court.

### Disturbance Created

He said that an officer of the law has a right to break up crowds which congregate at an early hour in the morning and that a disturbance had been created at the barbecue place.

The charges against Officer Wood were dismissed on a demurrer filed by the defense on the grounds that Berry could not positively identify Wood as one of the officers who beat him.

On the witness stand at the hearing, Padgett admitted that he struck Berry, but said that he did so when he thought the youth lunged at him as if to hit him.

Berry positively identified Padgett as the officer who hit him over the head with a blackjack, causing severe swelling to his face and head.

Padgett said that he hit the youth in order to subdue him. He said that Berry had been drinking,

### No Arrest Made

Attorney Marion Johnson employed by Berry as special prosecutor in the case, asked Officer Padgett why he did not arrest Berry if he were guilty of any crime or had violated any law. Padgett said that he would have arrested him but he thought that Officer James E. Gameson had arrested him. It developed from the testimony that although seven officers were on the scene, none of them arrested Berry or any other youths who allegedly caused a disturbance.

When Johnson asked Padgett why he hit Berry instead of shooting him if the youth resisted an officer, Padgett answered that he probably would have been better off if he had shot Berry.

John Hill, proprietor of the barbecue place at Twenty-fourth and Forest, called police about 1:30 a.m. on April 3, the morning after the election and the Fashion show at the Municipal auditorium, asking officers to quell a disturbance outside his place. Hill, on the witness stand Wednesday, said that several boys of whom he said Berry was the leader, were knocking on his window, yelling and creating a disturbance in front of his place. In an attempt to drive them away, he said, he chased one of the boys with a meat cleaver, but was unable to catch him.

### Gameson Struck

When officers arrived, they questioned the boys around the barbecue place but made no arrests.

Officer Gameson testified that he hit Berry with his nickory club after Officer Padgett had hit Berry.

Attorney Johnson, addressing the court after all testimony was in, deplored the action of police officers in "going about beating members of an oppressed race. If those boys were guilty of any crime, they should have been arrested and put in jail—not beaten."

All of the officers denied that they had struck Allen Whalen, complaining witness along with Berry. Whalen's case against the officers was not tried Wednesday, but it was conceded that testi-

mony in both cases would be the same. Thus, the judge's action in dismissing the officers in the Berry case is tantamount to dismissing the charges in Whalen's case.

Attorney Johnson said that he planned to take the complaints against the police officers to the grand jury.

Attorney Johnson was assisted in the prosecution by Sam Shipiro, assistant prosecuting attorney. John

Cleary and William Ellsworth, attorneys for the board of police commissioners, represented the police officers.

## Policeman Who Killed Negro Prisoner Faces Manslaughter Charge

A new development in the shooting Wednesday of a Negro in the main office at Fairfield Jail was announced Saturday afternoon when a warrant charging first degree manslaughter was issued against Thomas Nelson, Fairfield police officer, who said he shot the Negro when an escape attempt was made. Nelson made \$1,500 bond shortly after.

Earlier a verdict of unjustifiable homicide was returned by Coroner T. J. McCollum, of the Bessemer Cutoff.

The Negro, O'Dee Henderson, was shot three times once in the abdomen and twice in the chest when he is reported to have tried to escape from a group of questioning officers. He died shortly after at T. C. I. Hospital.

Here is the story as gathered from various sources:

1. M. M. Hagood, an employe of T. C. I. at Westfield, became involved with the Negro near the plant. Hagood said the Negro struck him after he (Hagood) failed to get out of the Negro's path while walking across the road.

2. Officer W. C. Glynn, of the Fairfield Police Department, came to the scene and placed the Negro under arrest.

3. Nelson, Glynn and Hagood went to police headquarters. The Negro is reported to have grabbed at Nelson's blackjack. Nelson in his report said he shot the Negro at that point.

However, reports vary as to the circumstances. Attaches at a Negroat 8 p. m. is being urged by How-funeral home in Fairfield reported that the Negro's face was severely bruised when they examined him. Other reports say the Negro was beaten with a rubber hose and a blackjack.

Meanwhile, Mayor Claude N. Gilley called the Fairfield City Council into special session for 5 p.m. Monday to report and make recommendations concerning the matter.

## 2 Colored Men Slain By Cops In Dixie City

### Alabama Newspaper Hits Cossack Methods Of Policemen

MONTGOMERY, Ala. — Aroused over the street murder of one Negro, and the fatal beating administered another in a prison cell, the Montgomery Advertiser, a white daily newspaper, scored the Cossack methods of local police, last week.

The man beaten to death in the cell was Nap Rowland, whose head was crushed by a heavy instrument. The other man was shot to death on a main highway.

As a consequence of the two killings, The Advertiser, supported by Negro citizens of this city, has called upon the Police Commissioner to rid the department of the Negro-hating cops and "drive the baboons back to their jungle".

The Advertiser said in an editorial: "There is considerable indignation in Montgomery over the fact that within a period of less than two weeks policemen have shot to death one Negro man and that one other died under mysterious circumstances in a cell in the city jail. His head was crushed, by whom one does not know. Another was shot in the arm."

## Support Urged for Meeting Against Police Brutality

Support of the community rally against police brutality to be held at the Mt. Zion Baptist Church, Forty-fourth Street and Sheriff Road, Northeast, Thursday (today) at 8 p. m. is being urged by Howard D. Woodson, chairman of the Northeast Council of Civic Associations and president of the Northeast Boundary Civic Association.

Among the speakers are Mr. Woodson, the Rev. Leon S. Wormley, pastor of the church, and U.S. Representative of the Washington Council of the National Negro Congress.

"White policemen in the colored neighborhoods don't do their duty

in policing these areas and as a rule are overbearing and often unnecessarily brutal in making arrests," said Mr. Woodson in a statement.

"The fundamental problem is the very poor type of white officers appointed, generally through Congressional influence. A District Civil Service system should be established with the highest eligible rating appointed. The fingerprints should be the only means to identify and the medical examination board should include at least one colored person."



# Victim Claims He Was Beaten With Hose, Blackjack And Kicked

## Trial of Policeman Jim Galvin Continues in Criminal Court; Taxi Drivers Point Him Out

Solicitor Bond Almand and Defense Attorney Charles Bruce matched legal wits Tuesday at the trial of City Policeman Jim Galvin, former catcher for the Atlanta Crackers, who is charged with beating a colored taxicab driver.

The trial was halted at 6 p. m., after an all day session and will be resumed this morning at 10 o'clock in Judge McClellan's courtroom.

The bill of indictment charges Galvin with beating Willie Humphries, 40-year-old Harlem Taxicab driver, February 29. Pictures and verbal testimony introduced by the prosecution showed that Humphries was treated at Grady Hospital, shortly after his arrest, for a battered head and bloodshot eyes.

### OFFICER POINTED OUT

Humphries and Willie McHenry, of Irwin Street, pointed out Galvin as the officer who administered the beating.

McHenry and Humphries, according to testimony, were carried to jail at the same time, both being passengers in the rear of the radio car manned by Officers Galvin and J. D. Adams.

Appearing as a defense witness, Policeman Adams testified that neither he nor his partner struck the two colored men. Police Turnkey Kennon was the only officer who admitted seeing as much as a "small bump" on Humphries' head.

Kennon said a police lieutenant told him to send Humphries to Grady Hospital. He further stated that it is customary for him to examine all prisoners for wounds.

The turnkey declared that had it been left to him, he would not have sent Humphries to Grady because the "bump" on his head wasn't large enough to warrant medical attention.

### STOCKADE ESCAPE

During the trial, it was brought out that McHenry was an escapee from the City Stockade, and was rearrested at a Frank Street ad-

dress by Policemen Galvin and Adams.

The officers then started out in search of Willie Humphries and J. Goodiron, another taxicab driver, who were suspected of having informed McHenry that policemen had been by his cab stand looking for him.

Officer Adams declared that they called Lieutenant Tippens to the taxicab station at the Bus Terminal before Humphries was taken into custody. Adams said the lieutenant ordered Humphries arrested and sent his driver, Officer R. E. Jones, to the victim's taxicab to make the arrest.

Lieutenant Tippens corroborated this statement and also backed up Policemen Adams in his testimony that Humphries and McHenry were carried directly to the city jail. Lieut. Tippens said he trailed the police car to the station house.

Humphries was booked on a charge of "interfering with an officer".

### CLAIMS HOSE BEATING

On the stand Tuesday morning, Humphries said Adams and Galvin took him from his cab at the bus station about 2:30 a. m. After riding a short distance, Humphries said Officer Galvin beat him on the head with a rubber hose.

The cab driver said he was next driven out Houston Street, where Galvin got in the back of the car and beat him with a blackjack and kicked him. He told the court he was treated at Grady, but went to private physician the next day after appearing in police court.

Attorney Bruce charged the criminal case was simply an effort to lay the foundation for a damage suit. In cross examining Humphries, the attorney also endeavored to show that Humphries held ill feeling towards Galvin and other policemen because of previous arrests.

Bruce asked McHenry if he and Humphries had not fought each other before being arrested. When the witness denied this, he asked McHenry if he and Humphries didn't fight when they were lodged in the same cell on the night they were arrested.

### DENIES FIGHT IN JAIL

McHenry denied engaging Humphries in a fight at any time. He accused Officer Galvin of beating him before Humphries was arrested, and then described the manner in which Humphries said he was beaten by the defendant.

Bruce introduced a long string of police convictions against McHenry.

James Larkin, Harlem taxicab driver, said he was sitting in the cab with Humphries when the officers arrived. He testified that the officers made him get out and get into his cab. He told the court that Humphries had not been beaten when the two officers arrived.

Cab Driver Goodiron told the jury that Humphries had not been beaten when he (Goodiron) went into the bus terminal to get a cup of coffee. Goodiron said Humphries was arrested while he was in the bus terminal drinking the coffee.

### HEAD BADLY BATTERED

A white doctor said he examined Humphries after his arrest and found his head to be badly battered. Attorney James Fagan, who represented Humphries in Recorder's Court, denied that he had any intention of filing a damage suit for Humphries against Galvin, but declared that he had hoped to carry the case before the grand jury.

The defense attorney asked Fagan if he was trying to get two city policemen fired by taking the word of two Negroes.

Appearing as character witnesses for Galvin were Earl Mann, business manager of the Atlanta Crackers and Paul Edwards, Cracker manager and catcher.

On the stand in his own defense, Galvin denied beating Humphries. Officer Adams is also under indictment for assault and battery in the same case.

## YOUTH TESTIFIES COP CHASED HIM ON HORSEBACK

### Citizens' Group Demands Warrant Against Officer

Thirteen-year-old Paul Jackson, of 14 Twenty-sixth Street, Northwest, appeared before police officials, Tuesday, and complained that a mounted National Park policeman chased and beat him.

At the same time a delegation demanded a warrant charging assault and battery against the officer.

According to the statements, Paul was playing football with a number of other boys on the grass along the Potomac Parkway when their game was broken up by the approach of Officer R. I. Bartmess.

### "I'll Make You Run"

The policeman, mounted on a horse, is stated to have overtaken Paul as he fled toward home.

With the remark, "If you like to run so much, I'll make you run," Bartmess allegedly struck the child with his halter rope and ordered him to run along the walk with bridle path bordering the boulevard.

The mounted officer is said to have ridden after Paul, ignoring his plea for a rest, threatening to run him down with the horse if he stopped, and repeatedly striking him with the rope over a course of at least a half mile.

Mrs. Ollie Jackson mother of Paul, reported the matter to the District NAACP branch. An investigation and identification of witnesses led to the appearance on Tuesday of Paul and his mother before officials.

The two were accompanied by a delegation representing the Citizens' Joint Committee on Police Brutality. The group asked Brewster Marshall, assistant district attorney, to issue the warrant for the officer.

Delegation Members

The delegation included William H. Hastie and Mrs. Gertrude Stone, of the NAACP; Eugene Davidson, New Negro Alliance, and Miss Bertha Blair, Washington Committee for Democratic Action.

Witnesses present were: Mrs. Annie Lawson and two children, Melvin Nelson and Elmer Gravette.

A colored postal employee, in uniform, is reported to have witnessed a part of the chase and beating and to have talked with the officer. He has not been identified by other witnesses and investigators have been unable to locate him.

Mrs. Stone, vice president of the NAACP, has stated that the testimony of this man would be of great value and has asked that he communicate with her office, 1011 U Street, Northwest, when he learns of the action in this case.

### Dismissal Objective

The NAACP has also advised the Department of Interior of the circumstances asking for a hearing, "permitting the group on behalf of Mrs. Jackson to present witnesses and to make detailed oral representations and to cross-examine the officer."

"After such hearings and after Bartmess shall have been permitted to offer his defense, if any, it is requested that R. I. Bartmess be dismissed with prejudice from his position as officer and employee of the National Park Service."



## Public Hearing Held in DeKalb Accident Case

### Witnesses Charge Negligence in Handling Wreck Victims.

Charges that DeKalb county police were negligent in giving medical treatment to a score of persons injured in an auto-truck collision near Stone Mountain early Saturday morning were investigated yesterday at a public hearing when five witnesses testified that officers refused to permit transportation of the wounded to a hospital until the arrival of an ambulance.

All of the witnesses to the crash, which took the lives of two white boys and four Negroes and sent nine other Negroes to the hospital, said that all offers to lend assistance were refused by policemen who waited "over an hour until colored ambulances arrived on the scene."

#### Experts Testify.

However, a battery of first-aid experts and County Health Officer Rufus Evans told Commissioner Scott Candler and Chief J. T. Dailey, who were conducting the probe, that the movement of injured persons by untrained hands "caused more deaths than accidents" and that officers had been repeatedly warned against handling wounded outside of "making them as comfortable as possible."

Shortly before the hearing began, Dan Lane, Journal photographer, was detained by police at the order of Commissioner Candler when he refused to give up his photographic plate after taking a picture of the principals at the hearing.

#### Later Released.

He was later released when he agreed not to turn in the picture for publication. After his release he explained to a Constitution reporter that the camera had failed to work properly, and no picture had been made, anyway.

The allegations against the department were brought by a group of Stone Mountain citizens, headed by two brothers, W. K. and T. J. Weatherley, and Milledge and Jack Haddaway.

Their testimony stated that

Captain Ed Foster, of the DeKalb force, threatened to strike any person moving one of the injured; that a Turner ambulance refused to transport Negro victims to a hospital; and that police refused to use county cars in which to take the more seriously injured to hospitals.

#### Defends Officers.

Dr. Evans, the first of the medical men to testify, said, "There are more persons injured by being moved than there are by letting them alone; and there are more injured permanently by unskilled persons interfering than there are by accidents."

He said he believed county officers were "more interested in keeping the injured from being hurt further than in interfering with hospitalization."

J. A. Weingartner, first aid chairman of the DeKalb County Red Cross, and First Aid Instructors George West Jr. and Lewis Cook all agreed that the American Red Cross instructed police officers not to move injured persons until the arrival of an ambulance or trained workers.

#### To Train Men.

"We are making arrangements with Chief Dailey now," Weingartner said, "to train his men in first aid. Until they are trained, however, I have asked Chief Dailey not to permit his men to move injured persons lest they be injured permanently or seriously."

W. K. Weatherley claimed that after police had refused to permit movement of the injured "for over an hour," they eventually let his brother "take about 15 Negroes to Grady hospital in a truck."

Captain Foster, who directed relief work at the scene, said he permitted the truck to go only after he had examined the Negroes and found they were not injured seriously and had no broken bones.

#### Made Arrangements.

Carlton Turner, president of the funeral home whose ambulance policy was criticized, said that he arranged with "three Negro concerns" to handle the injured, and that his ambulances did assist with the transportation when it became apparent that the Negro ambulances could not cover the situation alone.

George West, J. T. Freeman and A. O. Edwards, also witnesses to the aftermath of the crash, told the commissioner that they saw nothing unusual in the way police handled the situation and, although they had not been asked not to touch the bodies, had no criticism to make in the manner in which the wounded were treated.

Commissioner Candler and Chief Dailey said they would "take the evidence under advisement and would announce their action, if any, in the next few days."

## 4 Die, 16 Hurt As Truck and Auto Collide

### Picnic Party Members Victims of Accident Near Stone Mountain

Four persons were dead yesterday and 16 others were in hospitals, at least four in critical condition, from a crash of a picnic-party truck and an automobile early Saturday morning on Memorial drive, two miles south of Stone Mountain.

The dead: Donald Barrett, white, 18, of 588 Spring street, driver of the automobile, containing three other white youths.

Marshall Freeman, Negro, 28, of Rockdale park, driver of the truck, which held about 33 others. Mildred May, Negro, 13, of 887 Dillon street.

Clarence Cox, Negro, 16, of 630 Eighth street.

Four among the 14 Negroes admitted to Grady hospital after the wreck were believed to have skull fractures. They were: J. P. Hammond, 15, of 900 Grove street; Mary McCree, 48, of 1074 Reynolds street; M. Lee Smith, 16, of a Herndon street address, and a woman, Marion Beale, whose address was unknown.

Young Barrett's brother, Alton, and another occupant of the machine, J. P. Grubbs, 19, of 693 Spring street, were in Emory University hospital but were expected to recover. The fourth passenger, William Grubbs, of the same address, was not confined to the hospital.

The truck, returning to Atlanta from an outing at Stone Mountain, was said by DeKalb county police to have struck the automobile. William Grubbs asserted the truck was on the wrong side of the road and hit the other machine at the driver's seat.

Victims were strewn along the highway for 200 feet. Motorists from Stone Mountain declared DeKalb county police prevented for more than an hour all efforts to move victims to hospitals.

One critic, Kingsley Weatherly, a Stone Mountain electrical dealer, who finally was permitted to take 16 Negroes to Grady hospital in his truck, declared he was threatened with personal violence by Police Captain Ed L. Foster when he first volunteered aid.

Ten besides those admitted to the hospital where treated for lesser injuries and discharged.

## DeKalb Police Exonerated in Accident Case

DeKalb Commissioner Scott Candler yesterday exonerated four county policemen charged with negligence in the handling of an accident near Stone Mountain last Saturday and ordered all officers "to take a recognized course in first aid training at once."

His decision followed a public hearing last Tuesday at which time several witnesses to the crash complained that police failed to remove injured persons immediately and used harsh language in restraining passers-by from aiding the wounded.

Candler defended the officers, stating they had "employed well recognized rules of first aid in not permitting the indiscriminate moving of the injured." He added that Captain Ed Foster, according to the evidence, had the wounded hospitalized as soon as possible.

## Police Brutality Case Last On November Docket

The case of W. F. Sutherland, Atlanta policeman, charged with violating the civil rights of a colored school boy whom he allegedly tortured to obtain a confession, is last on the calendar drawn up for the November criminal calendar of the North Georgia United States District Court here.



# Wiley Co-ed Slapped by Policeman

NOV 20 1940

MARSHALL, Texas.

The slapping and rough handling of a Wiley college coed by a Marshall police officer was revealed here this week, although efforts have been made to keep down publicity of the incident. Miss Fergus Maddox, member of a prominent Fort Worth family, is the coed who was slapped.

It seems that four upper-class women students, in keeping with the college rules, were on their way to a show on Monday afternoon, November 18, when they entered a street intersection in downtown Marshall. Besides Miss Maddox, Miss Marie Norris of Fort Worth was one of the group.

A car approached containing two white men who ordered the coeds to hurry up and get across the street. When the young women did not hasten to suit their wishes, one of the white men jumped out of the car and pushed Miss Norris, fussing because they had not hurried as ordered. Miss Maddox remonstrated with the man for his mistreatment of her friend, so he slapped her and is said to have literally picked her up and thrown her in the back of the car.

It was after the slapping that the white men showed badges which indicated they were police officers in plain clothes.

On finding out that Miss Maddox was a student of Wiley college, the officers drove her to the campus. It is said she was accused of resisting and speaking unbecomingly to an officer.

Some of the Wiley college students wanted to stage a protest meeting and to organize a branch of the N. A. A. C. P. but the proposed gathering has not taken place.

Dr. M. W. Dogan, president of the college, went into consultation with influential white citizens in an effort to have the matter settled without undue publicity, lest it bring about serious racial conflict.

While commendation was voiced in many circles of Dr. Dogan's coolness in the difficult matter, some persons not connected with the school strongly resent the officer's action and feel that pressure should be brought to have him not only dismissed from the police force, but punished for his mis-

treatment of Miss Maddox.

Townpeople say the officer in question has a bad reputation as a "Negro hater" and claim he is the same officer who has been disrespectful to Dr O. W. Crump of the education department at Wiley and to Prof. Harry M. Landers of the science department. They also say that he once knocked down Milton Williams, undertaker, right in the court house at Marshall.

The slapping of the coed took place just before Wiley college played host to several thousand teachers who held their state association meeting here last week-end.



## Negro Defends Self and Wins His Acquittal

NOV 23 1940

GREENVILLE, S. C. —(ANP)—

After he conducted his own defense in proper legal fashion and convinced the jury he had no part in the automobile theft with which he was charged, I. B. Harris was acquitted of grand larceny in general sessions court here Thursday.

Harris presented his own witnesses, cross-examined those presented by the state, and took the stand to testify in his own behalf. He was asked by Judge G. B. Greene: "Would you like to argue the case to the jury?"

"Mr. Judge, your honor," he said, "I hardly think that will be necessary."

It wasn't. The jury returned in less than ten minutes with a verdict of not guilty.

Anderson, S. C., Independent Trib.  
December 28, 1940

## Still Explodes In Newberry And Negro Operator Is Badly Scalded

NEWBERRY, Dec. 27— Harry Elson, Negro, is in the Peoples Colored Hospital here in a serious condition, according to local officers. The Negro according to officers, was badly scalded when a liquor still blew up while he was one of two men operating it the early part of the week in the Maybinton section of Newberry County.

Officers claimed that the owner of the still had instructed Elson and Eddie Thomas, another Negro, to operate the distillery and it was while in operation that the still blew up and so badly scalded Elson that he is not expected to live.

The accident was investigated by Magistrate John Watt of Whitmire and Deputy Sheriff J. C. Neel of Newberry.

Eddie Thomas was released under bond Wednesday for operating a still.

## Convict Two For Beating Up Witness

DEC 14 1940 (ANP)—

Marked impetus was given the age-old struggle for civil liberties here last Wednesday, when a jury in the United States district court, with Judge C. C. Wyche, presiding, found two white men guilty of beating a witness who testified in a previous case against them. Judge Wyche withheld sentence until Monday.

The two defendants, Furman Smith and George Smith, were found guilty of the violation of the Federal criminal code, relating to civil liberties. They were charged with an assault upon Napoleon Johnson, who had testified some years ago in Federal court against the two Smiths and one Dillard Holbrooks.

In the original case Johnson testified that the three white men dynamited his home when he refused to allow them to put a whiskey still on his property. The men were found guilty and sent to Atlanta prison for 18 months.

On completion of their terms they returned to Oconee county, bent on getting revenge on the witness, Johnson, it was charged. On December 16, 1939, according to the government's charge, Johnson was assaulted by the Smiths, was brutally cut and beaten.

The case which attracted wide attention, was completed last Wednesday. After a few hours' deliberation the jury brought in a verdict of guilty and now, for the second time the Smith brothers face a prison term for mistreating a colored man who had the nerve to stand up for his rights.

CHITTY



# White Pair Jailed In Dynamite Blast

ANDERSON, S. C.—(ANP)—Two brothers, white, are in jail here for allegedly assaulting a Negro, who testified against them back in 1937 after one of them and another white man had blasted his home with dynamite. The two brothers, George and Furman Smith, were jailed and placed under bonds of \$1,500 each after Napoleon Johnson, 50, whose home was wrecked in 1937, charged the two with beating him and injuring him badly.

In the 1937 case, Johnson, a Westminister farmer, testified that dynamiting of his home followed his refusal to let Holbrooks and Smith erect a still on the premises. Between 2 and 3 o'clock on the morning of September 27, 1936, Johnson said that he was awakened by dogs barking. Looking out of a window, he said, he saw Holbrooks and Smith running across a field. A few minutes later the explosion sounded which shattered the house. Several witnesses testified to this, and the defendants were sentenced each to a year and a day in the Atlanta penitentiary.

The alleged assault on Johnson after Furman Smith was released from the penitentiary, is seen by observers of the case, as a move "to get even" with the farmer.

## JAIL WHITE PAIR FOR BEATING NEGRO COURT WITNESS

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**Sentenced To  
Life Term In  
S. C. Slaying**

OCT 26 1940

AIKEN, S. C.— Robert Bryant, White Graniteville sawmill worker, was given a life sentence by Judge G. Dewey Oxner in Court of General Sessions here Tuesday Afternoon after an Aiken county jury had returned a verdict of guilty, with recommendation of mercy, in the slaying of Jerry Key, aged Race man, near Graniteville on July 20.

Buster Hitt, farm laborer of the Graniteville section, whom Bryant implicated in the crime in a confession made shortly after his arrest, will be tried later.

Key, treasurer for a local society, was found fatally shot at his farm home. Bryant, in his confession, stated that he and Hitt had planned to rob the man in the belief that he kept a considerable sum of money at his residence.

Bryant, facing the bench for sentence, said he had no statement to make.

# Mysterious Fire Hits Home Of Negroes' Defense Lawyer

## Is Second Attorney To Suffer

COLUMBIA, S. C.—(A N P)—A fire of mysterious origin destroyed the home in McCormick, S. C., last Thursday of Joseph Murray, white attorney noted for recently defending seven Negroes charged with murder.

According to the lawyer, he had been forced to move his office to Columbia because of white resentment against his activities in behalf of the Negroes. When the fire started, nobody was in the house except his wife and she barely escaped serious injury.

The blaze began in a room the Murphys never used and there had been no fire anywhere in the house for several years. It is believed the blaze was of incendiary origin.

Atty. Murray is the second South Carolina lawyer to suffer because he defended Negroes. A few weeks ago Atty. Joseph Tolbert committed suicide following ostracism by whites after working in behalf of local Negroes who fought Ku Klux Klan terrorism beginning with their registration in large numbers for voting in the city elections a year ago.

## 150 Lashes Given Naked Prisoners

CHARLESTON, S. C.—(A N P)—That crimes of inhuman beatings of Columbia, state capital, and a few miles out of Boykin, S. C. are administered Negro prisoners at the state prison farms near Boykins, South Carolina, were told there, white prisoners being kept pitifully here this week by Steph-

en Davis, who was released on good behavior April 12 after serving 24 months of a 30 month sentence.

According to Davis, guards of the Reid farm forced him to "let down" his trousers and administered 50 licks with a strap prisoners call "the bull-tongue" on two occasions during his term and similar beatings were daily occurrences, as many as 200 lashes being given some of the prisoners.

According to Davis the bull-tongue consists of a leather strap two feet long and four to an inch thick and about three inches wide. It has a wooden handle 18 inches long and is carried for prison guards by a prisoner other prisoners call the "jack leg." Davis declared that he has seen guards administer such whippings to their "whole detail, one man after the other."

### ATTEMPTED SUICIDE

The latter part of January this year two prisoners at the farm were beaten so severely that they tried to take their own lives. Paul Nesbitt, sent the farm from Greenville, S. C., and Rogers Blackwell of Sumter, S. C., were the two. Nesbitt cut his throat and Blackwell drank a portion of kerosene. When this did not prove fatal he slashed his wrist.

Davis stated that long term prisoners informed him that Allen Moultrie of Charleston, who was killed by guards at the farm in 1932, met death because he objected to being whipped and because he didn't "get his breeches down fast enough." He also reported that he learned many prisoners had been killed by guards and when relatives asked about them they were told the prisoners had "run away."

### COULDN'T WRITE RELATIVES

Reid's farm is about 46 miles from Columbia, state capital, and a few miles out of Boykin, S. C. Only Negro prisoners are sent there, white prisoners being kept in the state penitentiary along

with more fortunate Negroes. Davis reported that an average of 140 men were at the farm during his stay and that only nine of the total could read or write. He emphasized that it was difficult to communicate with relatives, that all letters were opened going out and coming in and that if one was supposed to the mailman and it didn't have "ok" written on it by authorities, it was destroyed and the writer was given the "bull-tongue."

Boykin farm has long been a feared place throughout the state. But Davis expose is the first bit of tangible evidence on what takes place there. Most of the men freed from the place, join Davis in his decision to "die and go to hell before I'll go back" under any circumstances.

He stated that he was telling the "real story" with the hope that fair-minded officials and organizations could intercede in behalf of justice and human tenderness to correct the practice. Davis has not been able to secure employment to date because of his having been a prisoner. This was the first time he fell into the tolls of the law and was a "self-defense" case.



# Prisoner Tells How Men Killed

## Only Colored Prisoners Taken To Brutal Camp

CHARLESTON, S. C.—(ANP)—That inhuman beatings are administered to Negro prisoners at the state prison farms near Boykins, S. C., is the story told pitifully here this week by Stephen Davis, who was released on good behavior April 12, after serving 24 months of a 30-month sentence.

According to Davis, guards at the Reid farm forced him to "let down" his trousers and administered 50 licks with a strap prisoners call "the bull-tongue," on two occasions during his term and similar beatings were daily occurrences, as many as 200 lashes being given some of the prisoners, all of whom are colored.

According to Davis, the bull-tongue consists of a leather strap two feet long, one-fourth of an inch thick and about three inches wide. It has a wooden handle 18 inches long and is carried for prison guards by a prisoner. Other prisoners call the "jack leg." Davis declared that he has seen guards administer such whippings to their "whole detail, one man after the other."

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# Lashings at S.C. Prison Farms Called Routine

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The latter part of January, this year, he said, two prisoners at the farm, Paul Nesbitt of Greenville, S. C., and Rogers Blackwell of Sumter, S. C., were beaten so severely that they tried to take their own lives.

Greenville, S. C. News

July 7, 1940

## Assault Charged To Negro Farmer

LAURENS, July 6 — George Woody, 70-year old negro tenant farmer of Dials township, is in jail charged with assault and battery with intent to kill in connection with the alleged shooting of a younger negro, Al Anderson as the latter was walking on the highway late Wednesday night. Anderson was brought to hospital here, and yesterday surgeons amputated the shot-gun injured arm.

Anderson, S. C. Independent Trib

September 15, 1940

## BLOODFIELD SCENE OF GREAT BATTLE

ROCKY MOUNT, N. C., Sept. 14 —(P)—The scene of the battle, approximately enough, was Bloodfield, a section of Rocky Mount.

In recorder's court it appeared that a Negro family named Battles used a broom, a heated flatiron, a shotgun, a walking stick and several rocks in a feud with a family by the name of Foxx whose weapons were a pistol once used during the Spanish-American war, a stick and a pop bottle.

Injuries were minor.

Greenville, S. C. News

October 8, 1940

## \$50 Allegedly Paid To Negro Woman Alleges Rucker Falsely Told Her She Would Get \$1,000

Sam Rucker, negro, was involved in a little game smacking of the flim-flam type last Thursday, according to allegations in a warrant issued yesterday.

Eliza Daniel, negro woman, of near Piedmont, went before Magistrate Louie E. Smith and signed a warrant charging Rucker with obtain-

ing money under false pretense.

She alleged in the warrant that Rucker told her she was entitled to \$1,000 insurance and that upon the payment of \$50 to him, purportedly for an insurance man, she would receive the \$1,000.

She further alleged that she paid him the \$50 but did not receive any \$1,000, and she further alleged the statements made to her by Rucker regarding the \$1,000 were false and that he knew they were false.

## Indict 2 For Beating South Carolina Negro

SPARTANBURG, S. C. (ANP)—Two Spartanburg whites were indicted on two counts growing out of the beating of several Negroes by a masked band of men on a Spartanburg county road last July.

One indictment charges them with assault and battery with intent to kill Ernest Parton. The other charges the two with violation of Section 1131, 1932 S. C. Code, while "wearing a mask or masks and robe or robes," beat Parton with a strap, drew a pistol on him and assaulted and intimidated the man.

## I Two Indicted In Beating of Negroes July 13

Indictments naming J. H. Sherbert and Ed E. Watson on two counts in connection with the reported beating of several negroes on the Snoddy farm, near Spartanburg, the night of last July 13, were returned by the grand jury in general sessions court today.

One indictment charged the two men with assault and battery with intent to kill on Ernest Bomar.

The other charged that they violated Section 1131 of the South Carolina code in that they "on the 13th day of July, 1940, with force and arms . . . in the county of Spartanburg . . . did wilfully and unlawfully, while wearing a mask

Sanford, N. C. Herald

October 14, 1940

## Prefer Lashings

Two negroes convicted in Wilmington recorders court Friday of trespassing had the option of lashings and paying costs or paying a fine and costs, with a farm sentence in default. They chose the lashings. Their mothers administered the whippings in open court. Fine of one of the negroes would have been \$25 and of the other, \$20. They will have three weeks to pay the costs. It was the second time in two weeks that lashing was chosen by a convicted defendant in the Wilmington court.

or masks and robe or robes, assault, threaten, beat, bruise and intimidate one, James Bomar, by drawing a pistol on him and beating or whipping him with a whip or strap, all in violation of Section 1131, code of laws for South Carolina, 1932.

Shortly after the men, negro tenants, were reported beaten, Sheriff Sam M. Henry and other officers began an investigation and five men including Sherbert and Watson, were named in warrants.

### Investigation Not Complete

Solicitor Sam R. Watt said today cases involving other defendants were still under investigation with further action pending.

L. G. Southard stated this afternoon that he and the law firm of Whiteside & Taylor had been engaged as defense counsel. The case had not been set for trial at the 1 o'clock adjournment.

Investigating officers said the negroes told them a band of about 20 men came to their house about midnight, that they were riding in several cars and were robbed and masked, and that they inquired as to the whereabouts of a relative. They negroes said, officers reported, that they told the band they did not know, where the man they wanted was at that time, and that one of the men said, "We'll help you to remember." Then, officers said the negroes told them, they were taken from their home, placed in the cars and driven several miles away where, in a grove of trees, they were whipped. The negroes also stated, officers said, that parts of their clothing were removed before the beatings were administered.

The grand jury also today returned a no bill as to Aubrey Cash, young white man, ordered by a coroner's jury to be held for further investigation in the automobile accident death of Jephtha Wood 32, of the Cowpens section on Oct. 2.

Andrew Hartin, charged in an indictment with larceny and receiving stolen goods in the theft of a 1928 model Chevrolet car from H. J. Brock, entered a grand larceny plea and received a sentence of eight months.

Benny Merrell, charged in an indictment with larceny and receiving stolen goods in the theft of a 1934 model Ford car, property of L. L. Kilcrease, entered a grand larceny plea. He received a sentence of one

# Brutal Whippings Administered On S. C. Prison Farm

NOV 9 1940

CHARLESTON, S. C. (ANP)—Some 140 Negro prisoners at Dessasure State farm have been threatened with severe beatings and threats of death have been made against those now free should they ever return to the farm, it was disclosed here recently by one ex-prisoner whose word account was published by the local colored paper, the Lighthouse and Informer.

The newspaper carried a detailed account of brutal whippings at gun point at Reid's Farm in May and another story in August. Both gave accounts of men who had been sentenced to the farms and how they were made to lower their trousers, lie flat on their stomachs and receive from 40 to 200 lashes with a five pound strap prisoners call the "bull-tongue." While beatings are administered one guard holds a rifle on the prisoner while the other whips him.



# THREATEN NEGRO PRISONERS WHEN WHIPPINGS EXPOSED

NOV 10 1940

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## Prisoners Intimidated

The threat to get "that Terry n—r" if he ever comes back here was told the newspaper by Joseph Terry, 23, who was scar- red for life from beatings given him during seven months and 17 days at Dessasure farm. Accord- ing to Terry, guards called all prisoners together after his story was published and tried to find out if any of them had been "slipping out information."

During the questioning period, one guard is reported as saying, "If we ever get that Terry n—r back here again he sure won't do any more talking." Terry told the newspaper that a recently released prisoner inform- ed him of the happening and was concerned over his personal safe- ty as he didn't want to go back to the farm under any circum- stances. *Chicago*

Publishers of the paper said immediately after Terry disclosed the information that Gov. May

bank would be asked to investi- gate prison conditions at the (ANP)—140 Negro prisoners at farms. Only Negro prisoners are Dessasure State farm have been placed on the farm, white prison- threatened with severe beatings being kept in the state peni- and threats of death made fortentary in Columbia. Several or- those now free should they ever organizations have been asked to return to the farm it was dis-aid in having the whippings and closed here Saturday by one ex-brutalities investigated. Mean- prisoner whose word account was while word accounts of other ex- published by the local colored pa-prisoners are being gathered by per, the Lighthouse and Inform- the newspapers for publication. er. *Chicago* *Greenwood & C. Index Journal*

November 5, 1940

## Negro Case in Supreme Court.

The case of Willie Glenn, alias Eugene Brunson, negro who was convicted of manslaughter at the September 1939 term of court in connection with the killing of Elijah Hackett here twenty-nine years ago, will be heard by the State Supreme Court on Friday. Following his conviction and sen- tencing of twelve years Judge Arthur L. Gaston granted a new trial and Solicitor Hugh Beasley appealed to the high court.

Norman A. Marrison, who re- presented Glenn at the trial, and the solicitor will make argument before the state court.

Glenn was brought back here from New York in the spring of 1939 and has been in the county jail since that time.

*Columbia, S. C. State*  
October 31, 1940

## Lauds Lumpkin For Imposing Contempt Sentence

To the Editor of The State:

In a recent editorial The State called attention to Judge Lumpkin's having sentenced a man to jail for accosting and intimidating a Negro in the United States courthouse corridor.

I want to congratulate Judge A. M. Lumpkin who, in order to uphold the dignity and integrity of the court while sitting in Charleston, sent a man to jail for intimidating a Negro witness.

The incident occurred after the trial, evincing the far-reaching fairness of the court's decision. The court might

have argued in his own mind, "Why should I trouble myself about that Negro—the trial is over?" But not so, Judge Lumpkin; he was made of sterner stuff. He had respect unto the sacredness of the oath he took when sworn in as a federal jurist.

The judge thought not of himself but of the integrity of the court, of the temple of justice with all its sol- emn and sacred associations, he thought of the United States flag and what it stands for. He thought of the man he had sent to jail for, if the "tables were turned" and he happen- ed to be a witness, the judge would use the same authority of the court to protect him that he used to protect this Negro. He thought not of the in- ferior status of the Negro race, for Negroes are human and endowed with souls and entitled to the rights and privileges of human beings.

When Judge Lumpkin was elevated to the position he now holds, many were the sincere congratulations he received from his fellow Columbians, and from many others, as well.

The above noted incident in Mr. Lumpkin's brief career as a jurist well attests his fine judicial discernment and fully justifies the high confidence reposed in him when appointed to the federal bench.

Judge Lumpkin, your fellow citizens salute you for your righteous deci- sion in this case, evidencing a free- dom from bias, provincialism and bigotry seldom obtaining in public officials.

AUGUSTUS W. FOGLE.

Columbia.

*Columbia, S. C. State*

November 28, 1940

## Likely County Will Reject City Prisoners

Probability that Richland county would reject city prisoners appeared likely yesterday.

City council at its Tuesday meet- ing approved a plan whereby the city would turn its long-term prisoners over to the county "chaingang" in exchange for work to be done in the city.

Those prisoners with sentences of more than 60 days would be included in the plan, Chief L. J. Campbell said that he had about 25 prisoners with terms of from four to eight months, the majority of whom were Negroes. Only Negroes serve time on the county chaingang.

A member of the Richland delega- tion said last night that he regarded the plan as one-sided with the city getting all the benefits. He explained that the county had a chaingang

force equal to present demands upon it and that he saw no reason to en- large it at county expense.

Under the plan approved by city council the prisoners would be turned absolutely over to the county, to sleep in county stockades and be fed and clothed by the county. In return the city would ask a certain amount of work of the county chaingang, the amount undetermined. This would be worked out by city-county offi- cials.

It was pointed out that the county would have the benefit of additional labor and the city would get work done on city streets and other minor jobs. It was explained that the city had its own chaingang but did not have facilities equal to those of the county.

The delegation member expressed some doubt about the legality of the plan also.

The plan was suggested to coun- cil Tuesday by Councilman Gary Paschal who said that the plan was in operation in Sumter and other cities and counties.

## SENTENCE OF WHITE PAIR IS HELD UP

Convicted of Beating Up Ne- gro Who Appeared As a Witness Against Them.

DEC 14 1940

ANDERSON, S. C., Dec. 12 —(ANP) — Marked impetus was given the Negro's age- old struggle for civil liberties here last Wednesday, when a jury in the United States District Court, with Judge C. C. Wyche presiding, found two white men guilty of beating a colored witness who testi- fied in a previous case against them. Judge Wyche withheld sen- tence until Monday.

The two defendants, Furman Smith and George Smith, were found guilty of violation of the Federal criminal code, relating to civil liberties. They were charged with an assault upon Napoleon Johnson, a colored man who had

testified some years ago in Federal Court against the two Smiths and one Dillard Holbrooks.

In the original case Johnson testified that the three white men dynamited his home when he re- fused to allow them to put a whisky still on his property. The men were found guilty and sent to At- lanta prison for 18 months.

On completion of their terms they returned to Oconee county, bent on getting revenge on the colored witness, Johnson, it was charged. On Dec. 16, 1939, accord- ing to the government's charge, Johnson was assaulted by the Smiths, was brutally cut and beaten. The case which attracted wide attention, was completed last Wednesday. After a few hours' deliberation the jury brought in a verdict of guilty and now, for the second time the Smith brothers face a prison term for mistreating a colored man who had the nerve to stand up for his rights.



# Wanted To Daily World Frighten Atlanta Ga. Playmates

## Children Were Playing Inside Old Warehouse

DEC 5 1940

GREENVILLE, S. C. — (ANP)—A frightened youth sat on his bunk in the city jail here and told how he lighted some lint in the Farmer's Warehouse late Thursday merely to scare some playmates and created a blaze that caused a loss of from \$40,000 to 50,000.

Assistant Chief of Police H. E. Wooten said William Richardson, 12, would be placed in custody of Pitt Juvenile authorities for final disposition of the case. During the night local police questioned at least 16 young boys living in the vicinity of the warehouse.

### BORROWS MATCH

The youth and a number of other children were having a frolic in the warehouse. Cold weather had forced them from the streets, their usual playground, into the building, he said. More youths came inside and, Richardson said, he decided to frighten them.

He borrowed a match from a playmate, ignited lint used in mattress-making, and scampered to his home with the others when the blaze got out of control.

"I didn't mean any harm. I just wanted to scare the others. I thought I could put it out all right," Richardson told officers.

### FIRE GUTS BUILDING

Mattresses were made in the warehouse for poor families of the county under the supervision of Miss Ethel Nice, home demonstration agent. A quantity of cotton was stored there.

Six mattresses were lost in the blaze, which gutted the city's oldest warehouse and threatened wooden homes and buildings that surrounded the 43-year-old structure.

## Jury Finds Whites Guilty Of Beating Colored Witnesses

DEC 14 1940

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### Whites Dynamited His Home

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On completion of their terms they returned to Oconee county, bent on getting revenge on the colored witness, Johnson, it was charged. On December 16, 1939, according to the government's charge, Johnson was assaulted by the Smiths, was brutally cut and beaten.

## Federal Court Jury In South Carolina Finds Two White Men Guilty of Beating Negro

Testified Against Them In Previous Case of  
Bombing

### Given 18-Month Prison Term

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## TWO BROTHERS FACE PRISON FOR CRUELTY

Justice Meted Out in U. S.  
District Court in  
South Carolina

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# Guards Threaten Negro Prisoners When Brutal Whippings Are Exposed

To Ask For Investigation Into S. C. Penal Conditions

NOV 9 1940

## Inmates Given Two Hundred Lashes

CHARLESTON, S. C.—(ANP)—Some 140 Negro prisoners at Dessasure State farm have been threatened with severe beatings and threats of death made for those now free should they ever return to the farm, it was disclosed. The newspaper carried a detailed account of brutal whippings at gun point at eRid's Farm in May and another story in August. Both gave accounts of men who had been sentenced to the farms and how they were made to lower their trousers, lie flat on their stomachs and receive from 40 to 200 lashes with a five-pound strap prisoners call the "bull-tongue." While beatings are administered one guard holds a rifle on the prisoner while the other whips him. When large numbers of lashes are given the guards divide the work.

The threat to get "that Terry nigger" if he ever comes back here was told the newspaper by Joseph Terry, 23, who was scarred for life from beatings given him during seven months and 17 days at Dessasure farm. According to Terry, guards called all prisoners together after his story was published and tried to find out if any of them had been "slipping out information." During this questioning period one guard is reported as saying, "If we ever get that Terry nigger back here again he sure won't do any more talking." Terry told the newspaper that a recently released prisoner informed him of the happening and was concerned over his personal safety as he didn't want to go back to the farm under any circumstances.

Publishers of the paper said immediately after Terry disclosed the information that Gov. Maybank would be asked to investigate prison conditions at the farms. Only Negro prisoners are placed on the farm, white prisoners being kept in the state penitentiary in Columbia. Several organizations have been asked to have the whippings and brutalities investigated. Meanwhile word accounts of other ex-prisoners are being gathered by the newspapers for publication.

Columbia S. C. State

November 16, 1940

## Two NC Negroes Get Reprieves

Raleigh, N. C., Nov. 15—(AP)—Two Negroes, convicted of first-degree murder, who were slated to be asphyxiated at Central prison November 22, received reprieves today from Governor Hoey.

Each reprieve was for 30 days and was granted for further study of the cases by the governor and Edwin Gill, commissioner of paroles. Under a state law which fixes death dates automatically on the third Friday after the expiration of a reprieve, the two will be executed January 10 unless further clemency is extended.

Anderson, S. C., Wall

November 9, 1940

To Chief of Police W. I. Burden:

If it were the practice of this department to pin roses on persons whose actions from time to time merit such notice, rest assured that your expansive lapel would have the biggest one grown in Anderson.

Since you have become the head of the city's law enforcement agency you have done many things to merit the thanks and support of our fellow-citizens.

You have shown on more than one occasion that you have the best interests of the city at heart. You have been on the job—and you have served well.

Today I learned of another act of your that affords me great personal pleasure. I understand that at your suggestion City Council has approved of a benefit football game to obtain the necessary funds to equip the police force with the very best in modern guns.

You and I and members of the police force have long known that the antiquated weapons now in use by the department were of little real value. A majority of them were confiscated in back-alley crap games, minor Negro scuffles and picked up here and there. When aimed at a definite object bullets are likely to fly off to the right or left or might even whiz over the top of the nearest high building.

There's no question about it. The guns are needed. And for the protection of the citizens of Anderson, only the best obtainable should be used.

I am told, however, that something like \$700 would have to be spent to equip the force with this type of weapon. I am also told that instead of indulging in a spell of wishful thinking you went to work on a plan to raise the money.

Of course, council could be prevailed upon to provide the necessary funds—maybe. But you took a more direct course and put it up to the people.

Everybody likes football and for such a purpose as the one you propose I am sure you'll have a capacity crowd for your game—even though the two teams and the date of the game have not yet been definitely settled.

I, for one, will be there—and with a rose if I can one.

COLONEL ANDERSON.

# Find 2 White Men Guilty Of Beating Negro

Federal Court Jury In South Holds Men For Hitting Witness

ANDERSON, S. C. (ANP)—Marked impetus was given the Negro's age-old struggle for civil liberties here when a jury in the United States District Court, with Judge C. C. Wyche presiding, found two white men guilty of beating a colored witness who testified in a previous case against them. Judge Wyche withheld sentence until Monday.

The two defendants, Furman Smith and George Smith, were found guilty of violation of the Federal Criminal Code, relating to civil liberties. They were charged with an assault upon Napoleon Johnson, a colored man who had testified some years ago in Federal Court against the two Smiths and one Dillard Holbrooks.

In the original case Johnson testified that the three white men dynamited his home when he refused to allow them to put a whiskey still on his property. The men were found guilty a fortnight ago and sent to Atlanta prison for 18 months.

On completion of their terms they returned to Oconee county, bent on getting revenge on the colored witness—Johnson, it was charged. On Dec. 16, 1939, according to the government's charge, Johnson was assaulted by the Smiths, was brutally cut and beaten.

The case which attracted wide attention, was completed last Wednesday. After a few hours' deliberation the jury brought in a verdict of guilty and now, for the second time, the Smith brothers face a prison term for mistreating a colored man who had the nerve to stand up for his rights.



# TWO CAROLINA MEN GUILTY OF BEATING COLORED WITNESS

DEC 20 1940

ANDERSON, S. C., Dec. 12 (ANP)

—Marked impetus was given the Negro's age-old struggle for civil liberties here last Wednesday, when a jury in the United States District Court, with Judge C. C. Wyche presiding, found two white men guilty of beating a colored witness who testified in a previous case against them. Judge Wyche withheld sentence until Monday.

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# Dixie Jury Finds Whites Guilty Of Beating Negro

DEC 15 1940

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(ANP)—Marked impetus was given the Negro's age-old struggle for civil liberties here last Wednesday when a jury in the United States District Court, with Judge C. C. Wyche presiding, found two white men guilty of beating a colored witness who testified in a previous case against them. Judge Wyche withheld sentence until Monday.

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# Negro Prisoners Disrobed And Lashed In S. Carolina Prison Says Terror Victim Over in Tryon Brutal Whippings Administered At Gun Point By School Burning Authorities

## "Reid's Farm" Is Hell Hole of South

CHARLESTON, S. C.—(ANP)—That crimes of inhuman beatings administered to Negro prisoners at the state prison farms near Boykins, S. C., were told pitifully here this week by Stephen Davis, who was released on good behavior April 12 after serving 24 months of a 30-month sentence. According to Davis, guards at the Reid farm forced him to "let down" his trousers and administered 50 licks with a strap prisoners call the "bull-tongue" on two occasions during his term and similar beatings were daily occurrences, as many as 200 lashes being given some of the prisoners.

According to Davis, the bull-tongue consists of a leather strap two feet long, one-fourth of an inch thick and about three inches wide. It has a wooden handle 18 inches long and is carried for prisoners by a prisoner other than the "jack leg." Davis declared that he has seen guards administer such whippings to their "whole detail" one man after the other.

The latter part of January this year two prisoners at the farm were beaten so severely that they tried to take their own lives. Paul Nesbitt, sent to the farm from Greenville, S. C., and Rogers Blackwell of Sumter, S. C., were the two. Nesbitt cut his throat and Blackwell drank a potion of creolin. When this did not prove fatal he slashed his wrist.

Davis stated that long term prisoners informed him that Allen Moultrie of Charleston, who was killed by guards at the farm in 1932, met death because he objected to being whipped and because he didn't "get his britches down fast enough." He also reported that he learned many prisoners had been killed by guards

Spartanburg, S. C. Journal  
June 21, 1940

## Principal Bound Over in Tryon School Burning

### Wells' Bond Fixed At \$5,000 After Hearing

(Special to The Journal)  
TRYON, June 21.—L. R. Wells, principal of the Tryon negro school, burned June 6, was bound over to superior court by Magistrate Giles Pearson, following a hearing at Columbus today on charges growing out of the burning of the school.

Bond was fixed at \$5,000. Sheriff W. D. Hines yesterday announced the arrest of Wells, who, officers said, was cooking at the Lake Lanier Boy Scouts camp. Arthur Suber and Hattie Smith of Tryon and Cleveland Rice of Spartanburg, negroes, have been given hearings.

Magistrate Pearson set their bonds at \$5,000 each.

Spartanburg, S. C. Journal  
July 23, 1940

### Properly Condemned

The Spartanburg county grand jury condemns in its presentment the action of a "mob of robed and masked men" who on the night of July 12 seized four negro boys on the Walnut Grove-Woodruff road and whipped them. The condemnation declares: "We have no place for this kind of lawlessness in our community since it brings a stain upon our law-abiding community where we have officers who enforce the laws and who give our citizens of all classes and color protection at all times. There is always a way in which anyone can get protection in our county, and it is never necessary or justifiable for hooded or robed men to attempt to take the law into their own hands and their conduct cannot be condoned."

Well said and truly. The grand jury's action is commended by that veteran jurist, Thomas S. Sease and all other citizens who stand for law, order and constituted authority.

Columbia, S. C. State  
July 9, 1940

## Police Chief Recommends Change To Women Helpers at City's Jail

Spartanburg, S. C. Herald  
September 25, 1940

### A Disgraceful Situation

The change completed at the city jail last week in having Negro women do the cooking and laundering had the approval of members of the city council, it was learned from Police Chief L. J. Campbell.

Chief Campbell talked that matter over with them before the change was carried into effect under direction of City Jailer W. E. Helms.

The police chief said he had thought over the matter and decided that the women could do those functions at the jail in a more satisfactory manner than the men had done. Many of the men (Negro men) did not like the cooking—nor did all the "customers" appear overjoyed at the result—some of the prisoners told Jailer Helms, after remarking on the better cornbread made by the women.

The women, too, as laundresses, have done better than the men, Jailer Helms said.

It should not have been necessary for women who live on Oakland Avenue and Dr. Edward M. Gwathmey, president of Converse College, to appear before the city commissioners in protests against conditions on St. John and Jolly streets. The objectionable places on St. John have been known to many residents of other parts of Spartanburg for many months. They must have been known to members of the police force and other city officials for a similar period. The writer of these lines brought the situation to the attention of members of the police force some months ago, but apparently without result. The "joints" that now are to be closed have corrupted a number of good Negro servants and we daresay numerous affairs and "cutting scrapes" may be traced to them.

Dr. Gwathmey made a statement that challenges the city government and the police force when he told the commissioners there were instances of bootleggers who had been guilty of carrying liquor to Converse campus. That should be stopped at once and the guilty parties should be dealt with.

The St. John situation seems to have involved Negroes. We are told that there are some other equally disreputable places nearer the heart of the city which are operated by whites. If these places exist they must be known to others besides their patrons. It should not be necessary for nearby residents or business men to follow the example of Oakland Avenue residents and demand a clean-up.



# Boy 8, Kills His Brother With Shotgun

GREENVILLE, S. C.,—(ANP)—

Grady Edwards, 8, killed his brother last week because he said he "bothered" him. The brother, Teen Edwards, was shot through the heart with a charge from a single barrel 12-gauge shotgun, and died instantly in the yard of the boys' home.

Grady's brother "bothered" him by shooting at him with an air rifle, his story to police revealed. An air rifle was found on the ground, but another brother said he did not see Teen shoot it at Grady.

Witnesses said the brothers had been playing and that the eight-year-old boy ran in the house and in a few seconds poked the shotgun barrel through the window and pulled the trigger. His aim was deadly. The charge tore a hole through the elder brother's left chest.

Deputies placed Grady in the county jail, and it was understood the case would be turned over to the juvenile court.

## POLICE SEIZE WHITE SLAYER OF CAB DRIVER

Carolinian Who Shot Negro Under Arrest: Sheriff Offered Reward

*New York Amsterdam News August 31, 1940*

CAMDEN, S. C.—History of a sort was recorded here this week when county police, spurred by a reward of \$100 offered by the Horry County Sheriff, captured Riley Hatfield, a 29-year-old white man and charged him with the murder of a Negro, Frank Alexander, 40 years old, a well known taxicab driver.

According to witnesses Hatfield shot Alexander following a quarrel over the payment of a cab fare. The body was dragged into a cornfield 10 miles away on the county road.

The slaying occurred last Friday, and Hatfield was placed under arrest Sunday night after

a colored youth employed at a bus station in Camden "put the finger" on him.

The sheriff was quoted as having said murder will not be tolerated in his county, regardless of the persons involved. He said he would present all the evidence he can find.

Elizabeth City, N. C., Advance  
September 14, 1940

## Three Negroes Sentenced To Roads For 2 Years

All Found Not Guilty of Conspiracy; Four Are Acquitted Entirely

After a four hour session yesterday afternoon in recorder's court, Judge Fentress Horner sentenced three of the eight Negroes on trial for conspiracy and other charges in connection with Monday night's riot to two years apiece on the roads and continued a prayer for judgment on a fourth until it could be learned whether or not he was old enough to come under the jurisdiction of the court.

The three found guilty of misdemeanors and given the maximum penalty of two years were March Jones of Hunter street, John T. White of Green street and Alenza Statten of Green street. Prayer for judgment was continued in the case of Willie Wilson.

Found not guilty and released were Roland Spellman, Mayo Williams, Banks Satten and James White.

After three hours and a half of testimony presented by the three prosecuting attorneys, W. C. Morse, Henry LeRoy and Phil Sawyer, the four attorneys for the defense, Martin Simpson, J. B. McMullan, Forrest Dunstan and Robert Lowry, offered no evidence but simply made a motion for a directed judgment of not guilty. The motion was granted in four of the cases, denied in the other four.

### Appeal Bond Set

Two of the convicted asked for appeal bonds. Bond for March Jones was set at \$1,000, and for Alenza Statten at \$500.

All eight of the defendants were booked on charges of conspiracy, a felony, which would have carried a stiffer sentence if proved, but Judge Horner stated after he had heard the State's evidence that he could not find sufficient grounds for conviction on the conspiracy charge. He admitted charges of simple assault and creating a public disturbance against the convicted defendants.

In summing up for the State, Henry LeRoy stated that cases of conspiracy are usually proved by inference, that once a prima facie case of conspiracy had been established all persons concerned are

equally guilty of the crime. LeRoy held that it was evident that a conspiracy had transpired, even though no direct testimony had been offered to prove such.

Judge Horner granted LeRoy's first statement, but added that he could not see that the State had shown that there was a conspiracy in the first place.

"I wish you had been able to show it," he said, "but I can't see any evidence of conspiracy in your case."

### 17 Witnesses Called

The State called 17 witnesses during the course of the afternoon, all of whom testified that there was a near riot at the Gaiety Theatre Monday night and that rocks and other missiles were thrown, most of whom testified that they had seen in the crowd one or more of the three convicted defendants, John T. White, Alenza Statten and March Jones, and some of whom testified as to having seen one or more of the other defendants at the scene.

However, none of the witnesses were able to testify that they had seen any of the defendants throw any rocks or bottles—to support charges of assaulting an officer—or that they had heard any of the defendants say anything which might tend to prove a conspiracy.

W. T. Culpepper, owner of the Gaiety Theatre, first State's witness to be called, came close to something when he told the court that on Monday morning before the riot Mayo Williams had come to his office and stated that he did not think Culpepper was being fair in dismissing Roland Spellman as manager of the Gaiety Theatre.

Culpepper said that Williams said to him, "you do not understand what the attitude of the colored people will be toward this." However, on cross examination Culpepper admitted that during the conversation with Williams the Negro's attitude had been friendly and that he did not think Williams was indicating by his remark any such thing as the riot which came that night.

Culpepper testified that he had dismissed Spellman as an economy move and that he had not hired a white man to take his place. He said that he did not intend hiring another man to take Spellman's place, and that if and when business got good enough so that an-

other man was needed he had intended taking Spellman back.

Holland Webster, general manager of the Carolina Amusement company, which operates the Gaiety Theatre, and which is owned by Mr. Culpepper, followed Culpepper on the stand and corroborated the testimony as to why and how Spellman had been dismissed. He told his story of what happened at the riot.

Webster said that during the riot Mayo Williams appeared in front of the ticket window and asked him to come across the street to the Cardwell house, which is occupied by Roland Spellman and his wife. Williams said that he had been sent by Spellman to ask Webster to come over, that Spellman wanted to ask Webster if he should get up and ask the crowd to go away.

### Winslow Takes Stand

John Winslow, the first policeman to arrive on the scene of the riot Monday night, took the stand next and stated that he saw Willie Wilson in the crowd in front of the theatre and heard him hollering, "Don't go in that show."

Winslow said that he took Wilson by the arm and led him out to the sidewalk and told him to go on home before he got into trouble. While he was doing this, he testified, March Jones came up to him and said, "Don't you hit that boy. Don't push him out in the street."

The witness said that Jones advanced on him in a threatening way and refused to obey his requests.

Mayor Jerome Flora, who took the stand to tell his version of the riot, remained calm but adamant while being cross examined sharply by Robert Lowry, attorney for the defendant, James White, who accused him of having incited the Negroes to more fury by threats he made to them in his talk at the scene.

"I didn't make any threats" the Mayor said. "All I was trying to do was disperse that mob and keep anybody from getting hurt. In my best judgment, what I said was the right thing."

The other witnesses who appeared for the State were: Lieutenant Lester Jones of the State highway patrol, Sergeant Louis B. Lane of the State highway patrol, Sergeant Jackson of the State highway patrol, Cliff Woodley, Nick move and that he had not hired a Negro, Lee Graham. Negro, Dick white man to take his place. He said that he did not intend hiring another man to take Spellman's place, and that if and when business got good enough so that an-

Cardwell, Negro, Beulah Rice, Negro cashier at the Gaiety Theatre,

Two years and Claude Bailey, fireman. Two other witnesses, James Lewis, Negro doorman at the Gaiety Theatre, and Claude Ziegler, failed to appear, but the defense admitted their corroborative testimony. Indications at the close of court yesterday afternoon were that all three of the Negroes who were sentenced to terms of two years on the roads would appeal their cases to the Superior Court.



# SHOT IN LEG BY RAILROAD DETECTIVE

*Courier*  
7-13-40  
Pittsburgh Pa.  
CHATTANOOGA, Tenn.

July 11 — (ANP) — A judgment of \$3,500 damages was awarded James Mason last week by a Circuit Court jury. A \$15,000 suit against the Southern Railway Company and W. C. Craybill, railroad detective, for injuries suffered by him when he was shot in the leg last February in the railroad yards.

The jury denied the plea of Louis Barnes, 16-year-old plaintiff, in a similar suit against the railroad and Craybill. Barnes charged that he was shot in the arm the same day the Mason shooting occurred, near the same place. He sued for \$2,000.

Both shootings took place in the railroad yards near the East Third street viaduct. Mason charged that his leg was broken. Both men identified Craybill as the man who shot them, and asked punitive damages charging that he had a reputation for shooting people unnecessarily. The jury awarded Mason compensatory damages, but did not grant punitive damages.

Witnesses for the railroad company claimed that the shooting was done by agents for some other railroad company. Mason said he was picking up coal along the railroad tracks when the shooting occurred, and Barnes said he was walking home through the yards. Attorneys Edgar, Ford and Bean represented the men.

Nashville, Tenn., Tennessee

July 23, 1940

## GOODS

Constable Gets Numbers Material But Misses Arrests

Constable W. E. Sanders got the goods on some Negro numbers operators shortly before 10 o'clock last night at a vacant house in the 1700 block on Eighteenth Avenue, North, but his quarry apparently scurried out the back door as he entered the front.

Going to the house on an anonymous tip, the constable found \$20 in small change and a bag full of numbers tickets. The neighborhood is poorly lighted, he said, and

a thorough search of the neighborhood failed to reveal any of the persons that fled from the house as he entered.

Knoxville, Tenn. News Sentinel  
August 4, 1940

## Knoxville 'Crime Corner' Wiped Out by College Homes

Knoxville, Tenn. News Sentinel  
August 6, 1940

One of Knoxville's worst "crime corners" for years, the intersection of University Avenue and College Street — the heart of McAnally Flats — has come upon better days.

For many years justice of the peace offices gravitated towards this corner, largely because it was the center of lawlessness and fee possibilities.

But it is a different corner now. Instead of a tumble-down shack at the corner one of Knoxville's most inviting and unique drug stores, the College Drug Store, has been established.

But this would not have been a desirable place for a drug store if College Homes housing project for Negroes had not been established just across College Street from the site.

### Outdoor Decorations

In a few weeks, instead of old dilapidated places where baled straw was stored and junk was piled, the site opposite this store will be a delightful place of grassy swards, curving driveways, trees, shrubs—all part of the setting of the new "city-within-a-city."

R. Hayworth Johnson, who established the new drug store, has attempted to do justice to the new environment. In addition to his regular drug store, he has a beautiful eating place for Negroes, a snug little tea room for white customers and a roofless "Spanish Garden" in the rear to attract his Negro patrons when weather is balmy and summer moons ride high.

### Whole Area Improved

This is just a part of the improved civic tone and appearance of old McAnally Flats. Other attractive buildings are expected soon to be built in that section near this corner.

"Influence of College Homes will be felt all over this section," Chairman Olin Berry of the Knoxville Housing Authority said. "It eliminates a great many sub-standard houses in that section. And the people who will come into College Homes will lift the average of the population."

## MEMPHIS CHIEF IS SUSPENDED

Other High Officers Out  
Pending Investigation.

By United Press

MEMPHIS, Aug. 6 — Charged with conspiring to exonerate an arrested Negro without trial, the chief of the Memphis Police Department and two high ranking officers were suspended for 30 days Monday pending an investigation.

The City Commission ordered suspension of Chief of Police W. D. Lee, Inspector of Detectives Clegg D. Richards, and Capt. F. W. Glisson pending completion of an investigation now under way.

At a hearing before the commission Saturday, a report read by City Atty. Will Gerber charged Glisson with accepting a \$200 bribe from Leonard Knight, a Negro also known as "Race Riot." It was alleged that Glisson accepted the bribe in payment for keeping the Negro's name off a police docket. The Negro had been arrested after he allegedly shot and wounded another Negro in the arm.

Gerber rebuked the officials for failing to arrest the Negro after he had signed a written statement saying he had paid \$200 to Glisson. The statement asserted that all three of the officers had eaten meals at Lois Bass' restaurant and did not pay for them because they were her "guests."

The commission asserted that Richards and Lee were friendly with a West Memphis, Ark., officer who was interested in the case of Knight, who, the report charged, was operating a gambling house in West Memphis.

"All these facts point to a scheme for the exonerating of the Negro, Knight, without trial," the commission said.

## FORTY-THREE YEAR OLD WOMAN ACCUSED

MEMPHIS.—Mrs. Lola Bass, 43-year-old Negro woman is accused of police bribery. Mrs. Bass is the operator of a restaurant at 921 Wiloughby. Her place of business has been pointed out as rendezvous where Memphis police may go and while away the leisure hours. She is said to be one who has a specialty of doing these kind of deeds for the chief and captains of the police department, without cost to them. It seems that the serving of these very palatable meals has won for Mrs. Bass much fame among these higher officials. Since investigations have been made we notice that Mrs. Bass has been greatly favored by these officials; especially do we notice that her son-in-law, Leonard Knight, alias Race Riot, was not charged when he shot and wounded another Negro. However, he (Leonard Knight) is supposed to have paid the captain \$200 for not bringing him before the courts for a trial. This act, itself, is one that shows a special favor from the higher officials.

The second version came to light after a white prisoner had written a letter to Chief of Police Oliver Perry, declaring Richardson's death to be the direct result of an inhuman beating by two guards. Chief Perry assigned two deputy sheriffs to investigate the case. Following the investigation, Morrow and Wilson were discharged for reporting the circumstances incorrectly, not the prisoner's death, Perry claimed. After a 15-minute deliberation, a coroner's jury returned a verdict to the effect that Richardson died of natural causes, probably "heat prostration," despite the fact that fellow prisoners had testified that the victim had been beaten to death by the two guards.

## TWO MEN FIRED, BUT CORONER'S JURY SAYS DEATH WAS 'NATURAL'

MEMPHIS, Tenn., Aug. 15—A gruesome story of penal prosecution, comparable to those that emerged from the Bastille of France years ago, was unveiled here last week following the sudden death of Roger Richardson, Shelby County Penal Farm inmate, who was allegedly beaten to death by prison guards.

The circumstances under which Richardson died came to light following conflicting stories from the offices of Squire W. J. Kearney. The initial version stated

that Richardson had apparently been a victim of the heat. The second, however, stated that L. G. Wilson and Oliver Morrow, both guards, had been discharged after an investigation had been made of Richardson's death.

The second version came to light after a white prisoner had written a letter to Chief of Police Oliver Perry, declaring Richardson's death to be the direct result of an inhuman beating by two guards. Chief Perry assigned two deputy sheriffs to investigate the case. Following the investigation, Morrow and Wilson were discharged for reporting the circumstances incorrectly, not the prisoner's death, Perry claimed.

After a 15-minute deliberation, a coroner's jury returned a verdict to the effect that Richardson died of natural causes, probably "heat prostration," despite the fact that fellow prisoners had testified that the victim had been beaten to death by the two guards.

The prisoners testified that Richardson's sister, Lydia Richardson, had been ill while working at the road gang during the morning and after the noonday brother's death, stated that she rest, had asked to be excused for a short time. When guards refused to heed his appeal, a scuffle ensued, and it is then that the guards allegedly beat him to death.



# PARK BRAWL RESULTS IN CITY COURT FINES

## Five Negroes Pay For Row That Brought Shooting

Fines for drunkenness and disturbing the peace were levied in City Court yesterday against five negroes who police said were involved in the brawl which ended with the shooting of a sixth negro by Park Patrolman P. McCluskey Tuesday night in Riverside Park.

The victim, Willie Jackson, 19, of Huguenot, was still in a critical condition at John Gaston Hospital last night. He was shot in the back of the neck by the patrolman who said he fired when the negro started toward him. Mr. McCluskey was exonerated.

The officer testified that all the negroes were fighting and drinking and were loud and boisterous. Those fined were:

Charles Etta Henderson, 21, of 1312 Trezevant, \$10 for disturbing the peace, and Leona Ward, 19, of 2442 Cable; Lloyd Lee Nevells, 21, and Perry Nevils, 20, of 2232 Kerr, and Clarence Owens, 27, of 2442 Cable, each fined a total of \$20 for drunkenness and disturbing the peace.

## NEGRO ROBBS EMPLOYER

Takes Valuables From Man For

Whom He Drove

G. P. Walker, 370 LaCade, complained to police yesterday that he had been robbed of his watch and \$15 in cash by a negro whom he had employed to drive him home from Circle Tuesday night.

According to police, Mr. Walker said he was intoxicated and hired the negro to drive his car rather than attempt it himself. He said he woke up in his car, parked on Beale Street, minus his valuables.

Knoxville, Tenn., Journal

December 15, 1940

## Two Face U. S. Court After Whisky Raid

Gertrude Taylor and Will Davis, Negroes, Knoxville, were bound to Federal Court yesterday on charges of violating liquor laws in a hearing before Commissioner J. Pike Powers and were placed under \$1000 bond.

Will Davis and Porter Lyon, Negroes, Knoxville, arrested in the same raid, were dismissed at the hearing.

The raid was made Monday night at 120 Fairchild Avenue and netted Federal Alcohol Tax investigators 102 half gallons of untaxed whisky.

## NEGRO RECEIVERS GET PRISON TERMS

9-30-40

## Carson Brothers Plead Guilty Before Judge Lusk—Given Three-Year Sentences

Two Negroes, Allen Carson and Ernest Carson, brothers, pleaded guilty before Judge Charles W. Lusk yesterday to charges of receiving and concealing stolen property and were sentenced to serve three years each in the state penitentiary.

The Negroes were indicted for burglary, but Atty.-Gen. Peabody Howard agreed to reduce the offense to receiving and concealing stolen property, which has a minimum sentence of one year in the penitentiary. Thus the brothers will be eligible for parole within a year.

The Negroes were indicted for stealing 440 pounds of finished brass castings valued at \$265 from the Columbian Iron works. The burglary occurred on May 21.

Howard said that a third brother, Willie Carson, participated in the burglary and was the ringleader. He said, however, that Willie escaped and that the police are still looking for him. Both Allen and Ernest have good reputations, he said, and have no criminal records.

In Judge L. D. Miller's division of criminal court, V. L. Kemp pleaded guilty to indictment for larceny of an automobile and was sentenced to serve three years in the penitentiary. Kemp allegedly stole a 1939 model sedan from S. A. Richardson, of Charlotte, N. C. Kemp was granted five days in which to file a petition for parole.



# SHELBY NEGRO TO DIE FOR SHOOTING, ATTACK

High Court Upholds Penalty Of Death On Appeal

EXECUTION SET MARCH 15

*Commercial Appeal*  
Tribunal Also Denies Petition Of Ralph Davis Asking Rehearing On Suspension From Memphis Bar For One Year

The Tennessee Supreme Court yesterday at Nashville affirmed the death sentence of A. C. Mobley, negro, convicted in Shelby County Criminal Court on charges of assaulting a white woman after shooting her and set the date for execution March 15.

The negro, 27, of Memphis, was charged with shooting Forrest Darnell, 26, of Levi Avenue, and assaulting his companion on Lake View Boulevard in September, 1938. Mr. Darnell recovered.

## Captured In Mississippi

The negro was taken into custody after Sheriff B. J. Barringer of Marks, Miss., shot him when he resisted arrest.

The court also denied a petition of Ralph Davis, veteran Memphis attorney, asking a rehearing on his suspension from the practice of law for one year.

The Memphis and Shelby County Bar Association brought suit against Mr. Davis for disbarment and he was suspended in Chancery Court on a charge of unprofessional conduct. The charge grew out of handling of funds in a guardianship case.

## Other Opinions Given

Other opinions by the court of general interest are as follows:

State of Tennessee, for use of Margaret Moore, vs. Mrs. B. L. Tutt, Shelby Equity; decree sustaining demurrer reversed and cause remanded for answer. This was a suit upon a bond taken under the old marriage license law—not a statutory bond since the enactment of the new code. Remanded for proof to ascertain whether the obligation may be held good as common law bond.

John Chambers vs. the State, Scott Criminal; affirmed.

Fine of \$5 and six months jail sentence. Violation of Section 11,035 of the Code, known as the night-rider statute.

Tom C. Kelly vs. Glenn W. Woodlee. Rhea Equity. Petition to re-

hear denied. The original opinion dealt with the only issue necessary ground with their pistols and fled. to be decided by this court, as to Two negro delivery boys were held when a vacancy first occurred in up with Mr. Lambert. Several the office of district attorney gen-stitches were required for wounds eral. Opinion for publication. in Mr. Lambert's head caused by Whitwell Coal Corp. vs. Verna the beating.

Cornett. Sequatchie Law. The question presented arises on a petition for reapportionment of workmen's compensation theretofore allowed to the widow and three dependent children—a girl and two boys. The girl married and one of the boys attained the age of 18 years. The trial judge reapportioned the compensation so as to allow 20 per cent of the deceased man's average wage to the one remaining dependent child. This was in error because Code 6883 (6) allows to a widow 30 per cent of such wage and Code 6883 (7) allows to a widow and one child 40 per cent of such wages. Reversed and remanded. Opinion

A. C. Mobley vs. State of Tennessee. Shelby Criminal. A. C. Mobley was convicted of the crime of rape and his punishment fixed at death by electrocution. Affirmed with date of execution fixed for Friday, March 15, 1940. Opinion

N. C. & St. L. Railroad vs. State Board of Equalization. Davidson Law. Petition to rehear overruled. Memorandum filed.

In addition to the above cases the court decided a number of other cases of purely local interest.

# NEGRO BANDITS BEAT, ROB LOCAL DRUGGIST

*Commercial Appeal*  
M. R. Lambert Forced To Turn Over \$80 To Pair

Two negro bandits held up the Glenview Pharmacy, 1718 Netherwood about 10:35 o'clock Friday night, forced M. R. Lambert, the owner, to turn over \$80 from his cash register and then beat him into submission with pistol butts when he sought to prevent their escape.

Mr. Lambert said the negroes, who were each about 21 years old, entered the store with drawn pistols and ordered him to empty the cash register. He complied, turning over the money, and then dashed into the rear of the store to lock a safe containing more money, the amount of which he refused to divulge. As he returned to the store proper, he attempted to reach his pistol concealed in a cigar box, he said.

The bandits beat him to the

# NEGROES PLEAD GUILTY TO LOOTING THE MAILS

*Commercial Appeal*  
Two Are Ordered Sent To Federal Grand Jury

Two negroes, charged with looting the mails at the N. C. & St. L. Railroad station at Somerville, Tenn., pleaded guilty before United States Commissioner Featherstone here yesterday and were held to the grand jury under \$5000 bond.

The negroes, Charlie Starr, 18, of Tyrone, Ark., and Charlie Jackson, 19, of Texarkana, Ark., were arrested by Special Agent Guy E. Allen Tuesday night as they stepped from a freight train in the N. C. & St. L. Railroad yards here.

They were wearing new overalls which they confessed to obtaining from parcel post packages at the Somerville station Feb. 27, Mr. Allen said, and identified clothing left in the station as theirs.

Postal Inspector Phillips said it was impossible to determine the amount of the loot as they burned many letters in the stove. The negroes said they obtained \$10. Ten bags of mail containing nearly 500 letters and several parcel post and express packages were rifled, Mr. Phillips said.

Jackson served a three-year term in the Huntsville, Texas, Prison on a murder charge, and Jackson served a year at the Government Training School at Washington for violation of the Dyer Act, according to Deputy Marshal E. B. Jones, who served the warrant.

Nashville Tenn. Banner

April 4, 1940

# Never-Used Execution Chamber Still Located in Police Station



About three decades ago, the man standing in the square indicated by the white line above might have been in an extremely precarious position. The room is the never used execution chamber of the old Criminal Courts Building, now the home of the Nashville Police Department. This City Workhouse employe is pointing at an iron ring placed in the ceiling of the room many years ago to accommodate a hangman's noose, and the white lines on the floor outline an iron trap door, which, however, never fell beneath a condemned prisoner.

A death cell which was never used—reminder of a method of execution long outlawed in Tennessee—still stands in a corner of the old Criminal Courts Building, now occupied by the Nashville Police Department.

Located on the third floor of the building, the room which was never used for its original purpose is equipped with a simple but deadly contraption little suspected by the hundreds of persons who regularly enter the building. The former execution chamber houses an iron trap door in the floor beneath an iron ring in the ceiling



to which was to have been attached a hangman's noose.

The reason for the old building's being equipped with such a chamber, only to have it stand unused for more than three decades, was explained by Chief Deputy Sheriff Sam Borum, who held the position of sheriff when the building was first occupied in 1909.

It was the duty of the sheriff of the county when the old Criminal Courts building was first occupied to carry out death sentences by hanging. Before circumstances required the use of this particular room, however, the State Legislature in 1909 passed a law requiring all executions to be carried out at the state prison.

The room is now used for detention quarters for Negro women prisoners in the City Workhouse.

"It was a cracking good place to execute a man if a fellow had to, but I'm mighty glad I never had to use it," Chief Borum said. "Prisoners were to have stood on the trap door and when the trap was sprung, they would have fallen six or eight feet down toward the second floor," the chief continued.

Following Chief Borum's tenure as sheriff, while Charles Longhurst was sheriff, humanitarian legislators did away entirely with hanging as the mode of carrying out the extreme penalty, substituting electrocution. This was done in the first extra session of the Legislature of 1913 under Gov. Ben Hooper's administration.

Since that time, with the exception of the four years from 1915-1919 under Gov. Tom C. Rye's administration, when capital punishment was abolished in Tennessee, electrocution has been used exclusively as the means of carrying out the death penalty.

## NEGRO TO GO ON TRIAL FOR CRIMINAL ASSAULT

Van Gilmore Will Appear In Criminal Court Tomorrow

Van Gilmore, negro charged with criminally assaulting a 25-year-old housewife, will face trial tomorrow morning before Criminal Court Judge Wallace.

Police say Gilmore has confessed to the assault near the Fairgrounds on the night of April 17. The woman and her nephew were on the way to meet her husband when her car stalled at a railroad crossing. The negro forced her from the car, police say.

Russell A. McFarland, 26, of Route 2, will be tried on second degree murder charges following the traffic death of J. C. Cartwright of 225 Reno.

The complete Criminal Courts calendar for two weeks follows:

**DIVISION ONE**  
Monday, Joe Lee Jones; Allen Wade; Van Gilmore. 4. Tuesday, John Lasley; Sylvanus Gregory; John Earl. Wednesday, no cases set. Thursday, James Garrett; Will Cox; Lee Smith. Friday, Joseph W. Stewart; J. K. Eggleston; James Allen; Nathan Pera 2; Frank Albonetti. Motions.

**DIVISION TWO**  
Monday, May 13. James S. Mumhrev; Tuesday, Lester Williams; Brondell Quinn. Wednesday, Russell A. McFarland. Thursday, John Jackson. Friday, C. C. Flaherty.

## White Hit and Run Driver Found Not Guilty Of Negro's Death Despite Eye Witnesses

\$25.00 Penalty Assessed On Driving 50 Miles Per Hour After Killin

Judge Undecided On

CHATTANOOGA, Tenn., June 11, 1940. What is called one of the most tice in the state, a jury in Jud court Saturday found Elbert M. of manslaughter in the death by the state, but convicted him of violating the hit-and-run act, whereby he was fined \$25 and costs.

The trial, outcome of an accident occurring on Sept. 3, saw many witnesses testify that Morrow, employee of the Peerless Woolen Mills, was driving approximately fifty miles an hour when he struck Hughes. Witnesses also asserted that Morrow stopped 30 or 40 yards away and then left without waiting to see how badly the Negro was hurt.

The defendant denied from the witness stand that he was going 50 miles an hour and stated that he had stopped at the crossing and could not have been going more than 10 or 15 miles an hour when the accident occurred, and that he left the scene when 15 or 20 Negroes came running toward him. Morrow told the court that the Negro staggered in front of his car and he could not avoid hitting him.

Chattanooga, Tenn., Daily Times June 11, 1940

## BRYAN URGES CURB IN NEGRO MURDERS

More Police Officers and Electrocution Advised to Reduce Slayings

More policemen and "an electrocution now and then" were prescribed yesterday by Police Commissioner Eugene J. Bryan as a sure cure for Chattanooga's high homicide rate among Negroes. Nineteen Negro slayings since Jan. 1 mar Chattanooga's record.

There has been no electrocution of a person from Chattanooga or Hamilton county for the past twenty years, the commissioner pointed out. From statistics he recently gathered he said three Negroes from Knoxville have been electrocuted in the past eight years. In Memphis eight colored and two white persons were put to death in the past ten years, while in Nashville twelve were given the death penalty in ten years.

Figures from Atlanta reveal twenty-one persons have suffered the death penalty in the past ten years. Of these two were white and nineteen were colored. Twenty persons have paid with their lives for murder in the past ten years in Birmingham. Fifteen of these were colored and five white.

"One of the causes contributing to Negro murders in Chattanooga is that juries do not give enough consideration to the taking of a life by a Negro," the commissioner said. "Another is that there are insufficient police officers to properly police the colored districts. We have more murders based on the population than any other city in the south."

## RAILROAD FORCED TO PAY \$3,500 TO CHATTANOOGA MAN

R. R. Detective Shot Negro for Picking up Coal on Tracks

CHATTANOOGA, Tenn., July 11 (AP)—A judgment of \$3,500 damages was awarded James Mason last week by a circuit court jury in a \$15,000 suit against the Southern Railway company and W. C. Craybill, railroad detective, for injuries suffered by him when he was shot in the leg last February in the railroad yards.

The jury denied the plea of Louis Barnes, 16-year-old plaintiff, in a similar suit against the railroad and Craybill. Barnes charged that he was shot in the arm the same day the Mason shooting occurred, near the same place. He sued for \$2,000.

Both shootings took place in the railroad yards near the East Third street viaduct. Mason charged that his leg was broken. Both men identified Craybill as the man who shot them, and asked punitive damages, charging that he had a reputation for shooting people unnecessarily. The jury awarded Mason compensatory damages, but did not grant punitive damages.

Witnesses for the railroad company claimed that the shooting was done by agents for some other railroad company. Mason said he was picking up coal along the railroad tracks when the shooting occurred, and Barnes said he was walking home through the yards. Attys. Farfar, Ford and Bean represented the men.

## 'Trigger Slim' Goes To Death For Killing Of Memphis Man

"Trigger Slim" was electrocuted yesterday in the state penitentiary at Nashville for the slaying last Oct. 30 of R. J. Payne, Memphis "village smithy."

Three times reprimed by Governor Cooper, the negro, whose real name was James Goodin, professed religion, ate a farewell meal offate and walked into the death chamber as dawn broke over the penitentiary's somber walls at 5:30 a.m. Cooper granted a reprieve to Aug. 15, asserting he wanted more time of electricity coursed through his body, "Trigger Slim" was pronounced dead. Sept. 5, 1940

Another Goes To Chair

## Grocer Slaps Woman, Shop Almost Wrecked

CHATTANOOGA, Tenn., (AP)—The slapping of an unidentified colored woman by a white grocer here last week resulted in a riot involving 1,000 sympathizers who destroyed merchandise and nearly wrecked the store.

The mob, gathering soon after news of the "slap" reached outsiders, smashed crates of vegetables in front of the store, hurled melons and tomatoes at the owner, Z. Butler, and his son, Sam, and sent bricks crashing through plate glass windows.

The action occurred, according to Police Captain Homer Edmonson, after Butler slapped the woman during a dispute over a pair of hose which she had purchased and wished to return. Witnesses say the slap stunned the woman into semi-consciousness. Butler locked his store and fled to safety in the rear of the building.

Boycott of the store, which is in the center of a Negro neighborhood, is promised by residents of the district. The woman has disappeared.

"Trigger Slim" vowed he would never be captured alive. But 19 days after the holdup-slaying he was captured without a struggle as he sat with a pistol in his lap watching a gangster movie in the Beale Avenue Palace. Police "covered" the negro as he watched the movie a second time. The officers said the negro confessed to the slaying and six other robberies.

Negro Caught At Movie Mr. Payne was slugged and wounded fatally by "Trigger Slim" when he attempted to stop the negro after he had robbed and cowed the proprietor of Bob's Liquor Store at 1286 Florida for almost 30 minutes.

Preceding the negro to the electric chair was 44-year-old William Henry, alias Clay Nelson of Dyersburg, who paid the supreme penalty for the murder of a Dyer County neighbor, Frank Boyd, last December.

"They seemed resigned to their fate and both professed religion," said Warden Tom Gore. The pair were originally scheduled to die Aug. 2, but Governor Cooper granted a reprieve to Aug. 15, asserting he wanted more time of electricity coursed through his body, "Trigger Slim" was pronounced dead. Sept. 5, 1940



The reason for the old building's being equipped with such a chamber, only to have it stand unused for more than three decades, was explained by Chief Deputy Sheriff Sam Borum, who held the position of sheriff when the building was first occupied in 1908.

The room is now used for detention quarters for Negro women prisoners in the City Workhouse. "It was a cracking good place to execute a man if a fellow had to, but I'm mighty glad I never had to use it," Chief Borum said. "Prisoners were to have stood on the trap door and when the trap was sprung, they would have fallen six or eight feet down toward the second floor," the chief continued.

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# FOR CRIMINAL ASSAULT

## Criminal Court Tomorrow

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Monday,	T. L. Christy,	Tuesday,
Willie Davis,	1. Wednesday,	Alexander
Jefferson 2,	Thursday,	Corrie Freeman
alias Carrie Freeman,	Haywood Alexander	and George
May 10, Jennifer Shaw,	and Melvin	Stubbay,
Willie Smith, W. M. Garner,		
Monday, May 3,	W. M. Smith,	Tuesday,
Howard, Son, Fulton,	Wednesday,	Clemmie
Howell,	Thursday,	Jim Rogers,
Harper Hayes,		Friday,

June 11, 1940

## More Police Officers and Electrocution Advised to Reduce Slayings

CHATTANOOGA, Tenn. — What is called one of the most disgraceful trials in the history of the state, a jury in Judge Taylor's court Saturday found Elbert M. Smith guilty of manslaughter in the death of a woman by the state, but convicted him of violating the hit-and-run act, whereby he was fined \$25 and costs.

The trial, outcome of an accident occurring, on Sept. 3, saw many witnesses testify that Morrow, employee of the Peerless Woolen Mills, was driving approximately fifty miles an hour when he struck Hughes. Witnesses also asserted that Morrow stopped 30 or 40 yards away and then left without waiting to see how badly the Negro was hurt.

The defendant denied from the witness stand that he was going 50 miles an hour and stated that he had stopped at the crossing and could not have been going more than 10 or 15 miles an hour when the accident occurred, and that he left the scene when 15 or 20 Negroes came running toward him. Morrow told the court that the Negro staggered in front of his car and he could not avoid hitting him.

TO PAY \$3,500 TO

# GHATTANOOGA MAN

**R. R. Detective Shot**

## Negro for Picking up Coal on Tracks

CHATTANOOGA, Tenn., July 11.—Sliders, smashed crates of vegetables, a number of \$500 damages in front of the store, hurled *W. C. Cray* against James Mason last melons and tomatoes at the owner, a week by a circuit court jury in a Z. Butler, and his son, Sam, and \$15,000 suit against the Southernmost bricks crashing through plate Railway company and W. C. Cray. *Glass windows.* The action occurred, according to Police Captain Homer Edmondson, after Butler slapped the woman during a dispute over a pair of *ward.*

The jury denied the plea of Louis Barnes, 16-year-old plaintiff, in a similar suit against the railroad and Craybill. Barnes charged that he was shot in the arm the same day in the Mason shooting occurred near the same place. He sued for \$2,000 in the center of a Negro neighborhood.

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Three times reprieved by Governor County neighbor, Frank Boyd, last December, the negro, whose real name was James Goodin, professed "They seemed resigned to their religion, ate a farewell meal of late and both professed religion," tried chicken and walked into the said Warden Tom Gore.

the penitentiary's somber walls attuned to die Aug. 2, but Governor 5:30 a.m. *Cammerford* Cooper granted a reprieve to Aug. Three minutes after the *Chargels*, asserting he wanted more time of electricity coursed through his "study the cases." Thereafter, body, "Trigger Slim," was pro-the Governor stayed the execution, *not* 5,1970 tons twice, but decided yesterday announced dead. *not* 5,1970

## Another Goes To Chair

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Journale & Guide  
Shop Almost Wrecked~~

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## Negro Caught At Movie

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## Man Beats Expectant Mother For Standing in His Way on Bus

CHATTANOOGA, Tenn., — Mrs. David L. Dorris, a young expectant mother, was severely beaten here Friday by a white man who objected to her standing in the colored section of an Eastdale bus.

Boarding the bus on her way to work, Mr. Dorris says she walked to the back of the colored section of the bus and stood because there were no seats. An unknown white man walked up behind her, she reports, asked her to move and struck her several blows when she said there was no place to move.

Two other colored passengers sitting in this section were afraid to aid her, Mrs. Dorris said. When she was ready to get off the bus the motorman spoke to her with profanity, she continued.

Too bloody and bruised to go to her job, Mrs. Dorris says she went to a doctor's office. David L. Dorris, the young woman's husband, has started a suit against the Tennessee Electric Power Company operators of the bus, according to reports.

## NEGRO SENT TO PRISON

Odell Wolf Gets 20 Years For SEP 25 1940

Odell Wolf, negro accomplice of "Automatic Shorty" Murrell, charged with the robbery of several liquor and drug stores last Spring, was sentenced to 20 years in the penitentiary in Criminal Court yesterday.

Wolf, 34, of Evansville, Ind., pleaded not guilty to one robbery charge, but the jury found him guilty and he was sentenced to 15 years. Pleading guilty to two other charges of robbery, he received sentences of five years each, one of them to run consecutively with the 15 year sentence, the other concurrently.

"Automatic Shorty" already has been sentenced. One of his robberies, it was charged, was at the liquor store of Stratton (Foots) Barbaro, former deputy sheriff.

Memphis, Tenn., Evening Appeal  
September 19, 1940

## Playing Policemen Costs Two Negroes

Memphis has no negro traffic officers.

So when motorists and passersby saw two dusky forms directing traffic at Beale and Third Tuesday night they reported the matter to police.

Consequently, James Morgan, 27, of 475 Union, and Joe Davis, 32, of 366 Avery, were taken to jail. Patrolman Moxley said the two were in the street busily directing the course of automobiles when he arrived.

Each was fined \$10 on a drunkenness charge in City Court yesterday, and \$10 on a charge of disturbing the peace.

Memphis Tenn. Commercial Appeal  
October 26, 1940

## CUSTOMERS SEARCHED AT NEGRO BUSINESSES

## Police Spend Evening At Two Establishments

Acting on orders from Commissioner Boyle, police last night searched persons entering and leaving the South Memphis Drug Store at 907 Florida and the combination taxi stand-restaurant-pool hall at 327 Beale.

Dr. J. B. Martin, owner of the drug store and chairman of local negro Republican forces, said that "about 40 white customers" and 200 negroes were searched outside his store.

## Officers Stay Through Evening

Operators of the two establishments said two uniformed officers appeared at 6 o'clock and remained during the evening.

The Commercial Appeal received several telephone calls from persons who said they were stopped at the establishments.

At his home early this morning, Commissioner Boyle said he had instructed the officers to maintain a watch at the places and that the action was in connection with police efforts to break up "dope peddling."

No Politics, Boyle Says  
"The policing has nothing to do with politics," Commissioner Boyle said in answer to a reporter's question.

Elmer Atkinson, negro Republican, is operator of the Beale Avenue business.

## Judge Upholds Wife Who Saw Louis Fight

MEMPHIS, Tenn., Nov. 13.—(AP) Domestic Relations Court Judge Camille Kelley admittedly never saw a prize fight, but she vigorously upheld today the right of a Negro housewife who came into a small inheritance to use part of the money to see Joe Louis fight.

The judge ordered the husband, charged with non-support, to contribute to his wife and children. He had complained his wife took part of the legacy to see the Louis bout, then "kicked me out."

"It's her money and if she likes prize fights and wanted to see Joe Louis fight, I think it was a fine idea. Seeing a fight probably broke down a lot of tensions and strain and she might have returned a better wife," Judge Kelley commented.

Memphis Tenn. Commercial Appeal  
November 27, 1940

## POLICE INTIMIDATION CHARGE IS MADE HERE

## Mayor Chandler Defers Any Action On Protest

## BOYLE IS OUT OF CITY

## Dr. S. E. Howe Presents Resolution Passed At Meeting Of Interracial Co-operation Committee In Memphis

Consideration of charges of police intimidation and persecution, made by the Memphis Commission on Interracial Co-operation, was deferred yesterday by Mayor Chandler "until Commissioner Boyle's return to the city."

However, the Mayor again announced complete City Commission support of the police commissioner by declaring:

"The other members of the City Commission feel that Commissioner Boyle is making every effort to enforce the laws which come under the jurisdiction of the Police

## No Let-Up In Memphis Police Vigilance

NOV 15 1940  
MEMPHIS, Tenn.—Police were still on duty late last week in front of the South Memphis Drug Store, 907-909 Florida, completing their second week of searching people leaving and entering the store operated by Dr. J. B. Martin, colored Republican leader. Police took up their posts the night of October 25. Commissioner Joe Boyle said then: "We are doing it to break up a Negro dope ring."

Police are on duty sixteen hours a day at the store, two men in each eight-hour shift, or four men working each day. Last Friday they were completing fourteen days' work.

Officers are also searching persons entering or leaving Elmer's Luncheonette and Stag Poolroom on Beale Street. It is reported that Police Chief Seabrook said: "We have obtained some information, but not sufficient on which to make any arrests."

Commissioner Boyle is reported to have said it was up to Chief Seabrook as to how long the policemen would remain in front of the store and restaurant, and Chief Seabrook is reported to have said: "We intend to keep on the search."

Department and we approve his law enforcement program."

Howie Presents Stand  
The Interracial Co-operation Commission's statement was delivered yesterday to the Mayor by Dr. S. E. Howie, president, after it had been approved at a meeting of negro and white ministers and educators.

A short time later he called on Phil Pidgeon, president of the Chamber of Commerce, to deliver a copy for chamber consideration. Mr. Pidgeon said he had been only casually advised of the situation and pointed out that Dr. Howie requested no co-operation from the business organization.

The statement charged police with creating "widespread apprehension and fear among the negro population" and urged that policing of certain negro establishments stop.

"We expressly urge that if those who are being policed are guilty of law violations, they be arrested and formally charged with the crime of which they are alleged to be guilty," the statement reads. "If they be not charged with any crime, we believe that in all decency and in the name of honesty and justice and in the best interests of the city, they should be released."

lieved of further molestation by the police."

In commenting on the statement, the Mayor explained that he would take it up with the Vice Mayor and Police Commissioner Boyle on his return. He spoke of the City Commission's "approval" of the commissioner's work and added:

"It has been vigorous and indefatigable and we know that the people of Memphis recognize that until the Tennessee Legislature repeals a law the Police Department has no alternative but to enforce it."

The statement of the Interracial Commission was drawn with the following present: Dr. Howie, pastor of Westminster Presbyterian Church; Dr. Charles E. Diehl, president of Southwestern; the Rev. William G. Gehri, rector of Grace-St. Luke's Episcopal Church; Prof. H. J. Steere of State Teachers College; the Rev. Alfred Loaring-Clark of St. John's Episcopal Church; Dr. J. J. Walker of Central Christian Church, and the following negro members: Weldon Beasley, J. A. Beauchamp, M. W. Bonner, Z. L. Bonner, Dr. A. Byron Carter, James C. Dickerson, Rev. S. A. Owen, Mathew Thornton and Rev. A. W. Womack.

Statement In Full  
The Interracial Commission's statement follows:

"Within the last month, certain activities of the Memphis Police have resulted in wide-spread apprehension and fear among the negro population of Memphis. The policing of business houses, the searching of citizens, indiscriminately, including the searching of little children, who could not possibly be conscious law violators, and the fact that these activities have been almost solely directed against the negro population of Memphis, has brought about a state of tension and fear unprecedented in the recent history of our city.

"The Memphis Commission on Interracial Co-operation heartily approves of every attempt on the part of the city officials to apprehend criminals, negro and white, and to bring them to justice. The



negro citizens have repeatedly asked that certain undesirable element of their race be dealt with according to the law. They have expressly requested that those members of the negro race who are guilty of crimes be dealt with to the fullest extent of the law. The negroes believe, with all right thinking citizens, that law violators should be punished and that none should be allowed to escape, regardless of wealth, political affiliation or other consideration.

"The Interracial Commission believes, however, that the intimidation and persecution of citizens by the police, when there is no evidence of law violation, and when no arrests are made, is out of accord with the principles of a Democratic commonwealth; is conducive to fear and anxiety; will bring wide-spread and unfavorable publicity to our city; will drive legitimate business from Memphis; and if persisted in by the police, will create a feeling of abiding ill-will and resentment among the negro citizens that can and may issue in a most unhappy outcome. We believe that all right-thinking citizens of the community will join us in seeking to eliminate the causes of these wholly undesirable conditions in our midst.

"We would therefore, call upon the Mayor of Memphis, Hon. Walter Chandler, to take whatever immediate steps may be necessary to correct the above conditions.

"We expressly urge that if those who are being policed are guilty of law violations, they be arrested and formally charged with the crime of which they are alleged to be guilty, and given an opportunity, which is guaranteed under our Constitution, of proving themselves innocent, before a justly constituted court of law.

"If they be not charged with any crime, we believe, that in all decency, and in the name of honesty and justice, and in the best interest of our city, they should be relieved of further molestation by the police."



## 'PALTRY' \$50 FINES ARE GIVEN SPEEDER

### Negro Assessed Total Of \$135 On Traffic Charges

Two "paltry" \$50 fines for speeding, a "modest" \$25 fine for reckless driving and fines of \$10 for running a red light and \$15 for resisting arrest were assessed yesterday on James McKinney, negro, in City Court.

The descriptions of the fines, totaling \$135, are Judge Bateman's. He heard Bateman describe the negro's flight under gun on Aug. 2, and his subsequent capture Friday. The patrolman said he arrested the man on the earlier date for speeding 60 miles an hour. On the way to the station, the man ran a red light.

"When I told him to stop he turned his car into me and tried to wreck my motorcycle. I warned him to stop, but he repeated the attempt. I fired at the car twice."

He sent another bullet after the auto as the negro disappeared at 50 miles an hour in heavy traffic, the officer said.

The patrolman identified the negro Wednesday and traced him home, where he arrested him Friday. McKinney insisted in court that the officer was drunk. The judge looked stern and the officer glared.

"I'm going to fine you a paltry \$50 for speeding 60 miles an hour, a paltry \$50 for speeding 50, and modest \$25 for reckless driving, just \$10 for running the light and only \$15 for resisting arrest," said the judge. "Next case."

### Night Patrolman Slain By Negro

Soon after 6 o'clock Wednesday morning, Leonard C. Sims, 37, of the Night Patrol Service, encountered a negro on the Illinois Central spur track near Nettleton, West of Macon. The negro is believed to have been discovered "pulling" a box car.

Sims challenged him and they were seen by witnesses in a clinch. A few seconds later Sims had been shot to death with his own gun which the negro had succeeded in taking from him. The patrolman had gone to the locality to "pull" an ADT box. He died a few minutes before police squads, summoned by witnesses, reached him.

The negro fled, is yet unidentified and at large.

## Agreeable Jurist Says Melon Theft Just Trespassing

CLARKSVILLE, Tenn., Aug. 27—(AP)—A Negro haled before General Sessions Court Judge Ridley R. Goodpasture on a charge of stealing a watermelon, argued that taking a melon from a patch wasn't stealing—and won his point. "Judge," said the Negro, "I wouldn't call taking a watermelon stealing. Would you?" "No, I wouldn't," replied Judge Goodpasture. "It couldn't be more than trespassing. Two dollars and costs for trespassing."

### Playing Policemen Costs Two Negroes SEP 1 9 1940

Memphis has no negro traffic officers. So when motorists and passersby saw two dusky forms directing traffic at Beale and Third Tuesday night they reported the matter to police.

Consequently, James Morgan, 27, of 475 Union, and Joe Davis, 32, of 366 Avery, were taken to jail. Patrolman Moxley said the two were in the street busily directing the course of automobiles when he arrived.

Each was fined \$10 on a drunkenness charge in City Court yesterday, and \$10 on a charge of disturbing the peace.

Memphis, Tenn., Com'tal Appeal, July 25, 1940

### Choosy Job Seeker Is Ruled No Vagrant

A charge of vagrancy was a negro WPA worker's reward for refusing a job Tuesday, but Judge Bateman dismissed the case in City Court yesterday on the basis that a man who seeks a job to which he is suited is not a vagrant.

Albert George, 40, of 237 Mulberry, waited in line 15 minutes to get a WPA assignment, according to officers, and then asked Aubreyfriend, the former officer said Clapp, who was in charge, what that he was "not ready."

Mr. Clapp replied he had a "hoe handle" — cotton chopping — job, whereupon the negro said:

"I don't want no country job—Ivogue in several foreign countries. want a city job."

Judge Bateman, in dismissing the charge, pointed out that George was at least seeking work, even if it was a job which did not meet with his particular taste.

## Chattanooga, Tenn., Daily Times October 31, 1940 WILKEY GETS 5 YEARS IN MANSLAUGHTER CASE

Soloman Wilkey, colored, was convicted by a jury in Judge Charles W. Lusk's criminal court yesterday for the slaying of another Negro, Selby Lester Woods, and was sentenced to serve not more than five years in the penitentiary for voluntary manslaughter.

The slaying occurred at Wilkey's home east of Missionary ridge on July 20. No motive was given for the killing, but Wilkey was said to have been drinking a short while before he opened fire on the other Negro with a shotgun.

Wilkey first testified that the shooting was an accident, but on cross-examination, he testified that Woods attacked him with a knife and asserted he shot in self-defense.

Memphis, Tenn., Com'tal Appeal, November 17, 1940

### Police Intensify Cleanup Campaign

As a phase of their intensified campaign against what they term "undesirables," police staged surprise weapon-seeking raids on a number of negro establishments last week, made it plain that a thoroughgoing investigation into pawnshop and junkyard activities is in the offing.

The raids came as police continued surveillance of the drug store of Dr. J. B. Martin, negro political leader, and Atchison's pool hall on Beale Avenue.

Most sensational development of the week was an accusation by Vice Mayor Boyle that former Police Chief Will D. Lee had accepted a suit of clothes from Dr. Martin. The suit, Mr. Boyle charges, was tailor-made.

The retired chief immediately denied the accusation, promised that if Commissioner Boyle "is going to say things like that I'm going to make it known who his (Dr. Martin) real friend was—and he's in the upper brackets, too."

When Commissioner Boyle dared Chief Lee to name the "real officers, and then asked Aubreyfriend, the former officer said Clapp, who was in charge, what that he was "not ready."

Suggested by Commissioner Boyle, for some future time, was municipal ownership of all pawnshops and junk yards, a system in vogue in several foreign countries.

Arrested in the raiding were 63 knife-carrying negroes.

Chattanooga, Tenn., Free Press  
November 13, 1940

## He 'Talked Too Much'



Revenge abduction of the Upshaw baby began to take root in the opinion of observers in the Upshaw neighborhood yesterday when it was learned one of 11 Negro families on the 3,000-acre plantation held high feelings against the Upshaws. Holt Lockabee, shown above, was found unconscious on a nearby roadside after being beaten twice within 12 hours and told on each occasion he had been "talking too much about kidnaping."



Chattanooga, Tenn., Free Press  
November 8, 1940

# POLICE CRACK DOWN ON NEGRO DIVES OF CITY

## Drive Under Way to Cut Increase in Homicides Among Colored Race

City police are cracking down on Negro dives in an effort to end the appalling Negro homicide rate here, according to recent city court hearings.

Daily Negroes who are allegedly keeping disorderly houses—running a nickel-phonograph machine and selling whisky on the side—have been brought before Judge Martin A. Fleming to receive fines.

"We're not fining them heavily, just enough to discourage the operators and keep visitors away from the dives," is the judge's comment on the procedure.

It is his belief, and the belief of the police department, that these regular raids on known dives will serve the purpose of keeping Negroes from gathering at the joints, getting drunk, gambling, fighting and killing.

Police are sent to raid places where the phonographs (police call them "piccolos") are in operation and crowds gather.

"Everywhere those piccolos are going, there's a joint, and I want you to clean them out," Judge Fleming told police at a court hearing this week.

Consequently, raiding squads, headed by police captains and composed of patrolmen and detectives, have pulled into police station steady streams of alleged Negro keepers of disorderly houses.

One instance was cited in city court today. Etta Bush, 39, alleged keeper of such a joint at Sixteenth and Cornelia Streets. She and an alleged visitor, Crawford (Kokomo) Pittman, 30, were each fined \$5, and three alleged visitors were dismissed after a judicial admonishment.

"We're going to stop killings," the judge has said.

One officer, Homicide Detective E. E. Smith, certainly won't mind if homicides are curtailed. He's just handled about 50 cases this year and all but about five of them are Negro homicides.

Knoxville, Tenn. News Sentinel  
November 15, 1940

## LET'S PARENTS WHIP BOYS FOR VANDALISM

By Associated Press

EARLINGTON, Ky., Nov. 15 — The public won't get to see 20 Negro boys whipped by their parents for Halloween vandalism, Police Chief Elmer Todd announced.

He said the public whipping with a leather strap sentence had been abandoned since 15 of the boys had been punished by their parents in his presence and that he would see the remaining five whipped by their parents.

The boys broke street lights and one of them threw a rock through a passenger train window

Chattanooga, Tenn. Daily Times  
November 17, 1940

## 60 GALLONS SEIZED IN MOONSHINE RAID

### Arrests Are Made by Police Officers After Corn Liquor Is Found

Following up Commissioner Eugene J. Bryan's recent order to clean out liquor dives and disorderly houses in Chattanooga, officers of the police department made several raids yesterday and last night, seizing sixty gallons of corn liquor and arresting almost a score of Negroes. No Negro slayings have occurred in the city since the drive began.

The largest seizure was made at 2704½ Cowart street, where the officers found forty-seven gallons of "moonshine." Arrested were William Smith, 32, and Hattie Jones, 42, both colored, on charges of keeping a disorderly house and possessing unstamped whisky.

Carl Mason, 45, colored, was booked on a charge of possessing unstamped whisky after police found eight gallons of corn liquor in his home, 1125 Elm street.

A raid at 135 Dutton street resulted in the arrest of Luther Brooks, 48, colored, on a charge of possessing. Officers confiscated four gallons of liquor at Brooks' home.

Ten Negroes were arrested in a raid at 323½ West Ninth street. One, Lloyd Billingsley, 28, being charged with keeping a disorderly house, possessing unstamped whisky and doing business without a license. The other nine were charged with visiting a disorderly house.

Nashville, Tenn. Tennessean  
October 16, 1940

## \$500 JUDGMENT

### Securities Company Reimbursed For Loss on Mortgaged Autos

Judgment on a \$500 injunction bond given in 1938 by Theodore Acklen, former "Negro numbers King" of Nashville, was given Monday by Chancellor R. B. C. Howell, to reimburse the Securities Investment Company for loss on mortgaged automobiles which vanished from Acklen's possession.

The company sued in Part I of Chancery Court to collect a note of \$475 given by Acklen. On February 24, 1938, he was granted a temporary injunction restraining the company from prosecuting the suit, and was required to give bond in the sum of \$500 to protect the company from loss.

The note was secured by a mortgage given by Acklen on automobiles valued at \$3,000. In July, 1939, the case was heard, and the investment company was given judgment for the amount of the note.

A writ of possession was granted the company for the mortgaged cars, but officers were unable to find any of them, and Acklen said they were out of his possession.

Monday the court heard a motion of the company for forfeiture of the injunction bond, which is still in force, and Chancellor Howell gave judgment for the \$500 against A. L. Morrissey, surety on the bond.

Memphis, Tenn. Commercial Appeal  
October 28, 1940

## BOYLE SAYS MARTIN TRIED 'BIG RACKET'

### Part Of Negro's Police Record Has Vanished, He Declares

Charges that Dr. J. B. Martin, negro druggist, attempted to work a "big racket" with negro school teachers and that part of the Martin record has disappeared from the Police Department's files were made yesterday by Commissioner Boyle.

The commissioner's statement followed the continued searching yesterday of all customers entering and leaving Dr. Martin's South Side Drug Store at 907-909 Florida. Dr. Martin charges the search, under way since Friday night, is because of his affiliation with the Willkie campaign here and denies that he has ever illegally sold narcotics.

Missing Files  
While the police still have files connecting Dr. Martin with the theft of aspirin from Plough, Inc.,

by two negroes, later convicted, the missing files concerned Dr. Martin's alleged possession of about \$1000 worth of stolen tobacco and other merchandise, Commissioner Boyle said. Affidavits revealing the finding of this merchandise are still available, according to the commissioner.

Dr. Martin last night denied all charges made by the commissioner. He said he was uncertain whether a rally for negro supporters of Willkie, scheduled for 8 o'clock tonight at the Salem Baptist Church, Iowa and Florida, would be held. He gave no reason for the possibility of canceling the rally.

Boyle Statement  
Commissioner Boyle's statement follows:

I have shown J. B. Martin's record is bad. At my suggestion Mayor Chandler wrote to Washington in the Summer requesting that special narcotic men be sent here. I was not satisfied with the narcotic situation. The Commercial Appeal very fairly in its Sunday's edition detailed the story I gave out, but carried the statement that Martin had been told if he would get right politically there would be no police activities against him.

No one with authority made that statement to Martin. Irrespective of politics, or the outcome of the election, I am going to break up anything I know that is harmful to this community and it matters not whether it is white or black—Democrat or Republican.

### "Tried To Form Racket"

Further, Martin has tried to form a big racket with the school teachers, and he has also been a fence for stolen property.

My investigation shows that he has had a pull with some police who are not now on the force.

I would encourage colored drug stores and in fact business of any kind, but I don't propose to wink at a dishonest business.

I have always tried to be very fair to the colored people.

Memphis, Tenn. Commercial Appeal  
November 22, 1940

## POLICE MAKE 'PAR' RAID

### Negroes at Country Club Caddy House Find Craps Costly

Police made a "par" raid Wednesday on the caddy house at Memphis Country Club.

Twenty-three negroes were shooting craps when the officers entered and 23 were hauled to City Jail.

All but three got off in City Court with \$3 forfeitures of bond. The three who couldn't post the \$3 each was fined \$10 by Judge Bateman.

The raid followed complaints, police said, that delivery boys of neighborhood stores were losing the money collected for deliveries in the caddy house game, and failed to return to work.

Pikeville, Tenn. Record  
November 20, 1940

## BUFORD IRWIN TRANSFERRED

Buford Irwin, formerly superintendent of the woman's division at the State prison, was transferred last week to the Herbert Domain School for Negro boys at Pikeville, Bledsoe County, according to announcement by Gov. Prentice Cooper.

Irwin was suspended some time ago by Warden Tom Gore following a reported controversy between the two. Irwin was said to have challenged Gore's authority to dismiss him and the matter had been pending since.



# Negro Bandit Turns Out to Be White Man

## NEGRO VICTIM OF HIT-RUN DRIVERS FATALLY INJURED

HOUSTON.—The way in which Negroes often are penalized for crimes they did not commit was brought forcibly to public attention this week when a burglar labelled as a "Negro" turned out to be white.

Charges against a Negro, O. B. Kile, arrested and held for trial on a charge of looting the home of a wealthy Houston family, were dismissed when \$250 worth of clothing and perfume was found in the Park Place garage apartment of a white "society bandit."

The robbery occurred while Mr. and Mrs. Roy Kiesling, wealthy white family, were in Port Aransas on a fishing trip. With them was their maid, Mrs. Carrie Kile, wife of Kile.

Returning home, they found their home had been looted of perfume and clothing costing approximately \$1,000.

A neighbor recalled having backed his car into a "green automobile" parked at the Kiesling home and showed police "a tell-tale specimen of green paint on his fender." The green paint on the fender was compared with paint specimen from the car of Kile, who was under suspicion. The two specimens were found to be the same. Kile was arrested but protested that he was working at a filling station on the night of the alleged burglary and knew nothing of it.

Kile was about to go to trial when part of the loot was found in the apartment of the society bandit. Judge Langston G. King immediately dismissed charges against Kile.

Walter Williams, 35, of 1719 South, became the twenty-ninth person to be killed in traffic accidents in Houston this year, when he succumbed early Sunday morning from injuries from a hit and run driver late Saturday night at Harrington and North Main.

### Texas Asked To Return Negro Wanted In Death

Alabama requisitioned Texas yesterday for the return of Clarence Vickery from Gladewater to Harrison County, where he was wanted on a charge of manslaughter, growing out of an automobile accident in which Roy Barlow was fatally injured.

### I. A. ("Red") Eaves Testifies In Anti-Trust Suit Houston, Texas

One of the Victims Was  
Killed During A Strike At  
The Wald Transfer Com-  
pany; Boasts That He Never  
Misses When Shooting.

The Negro population of Houston was shocked this week when I. A. ("Red") Eaves, white, a witness in the ANTI-Trust Labor suit being conducted by the state of Texas against several labor leaders in Houston, testified that he had killed four Negroes within the last seven years, that he had been indicted in only one case and it was dismissed.

Eaves a former employe of the Wald Transfer Company says he is special agent for the Southern Pacific Railroad and admitted upon cross-examination by Defense At-

orney W. A. Combs that he had shot and killed Manuel Henry at Houston in 1933; George Cole of Lufkin in 1934 and another Negro in the same year. In 1938, while employed as a night watchman at the Wald Transfer Company, he shot and killed another Negro. The witness did not go in detail to tell why he killed these men but he said he killed Cole of Lufkin, when he was called there to break up a white lave ring; the third Negro for bothering his wife and the fourth was killed at the Wald Transfer Company during a strike when he accused one of two Negroes of throwing a monkey wrench at him. He says he was indicted for the killing at Wald but it was dismissed.

The witness denied having killed a white man at Epsom Downs but said, "I shot two men there and I never miss when I shoot."

### Arrested Negro Carries Pistol, Wears Knucks

LONGVIEW, TEXAS, Dec. 25. — (U.P.)—Police probably would have been more careful in arresting a 23-year-old negro had they known that the man was armed with seven .32 and .38 caliber pistols and a pair of brass knucks.

The arsenal was distributed completely around the negro and pistols were available from any angle. He wore the knucks.

Police said they believed the man carried more guns than any other person arrested here, including the bad men.



CRIME - 1940

## Asks Aid for Convicted Virginia Sharecropper

To the Tribune Editor:

NOV 23 1940  
Please allow the Inter-Racial Committee of the District of Columbia to appeal through your columns for help in the case of Odell Walker, the unfortunate sharecropper of Gretna, Va., now under sentence of death.

Washington  
The circumstances of the case and of Walker's conviction must appeal most powerfully to every person that believes that the eternal principles of justice have nothing to do with complexion.

The conviction was a clear and unquestionable instance of the triumph of primitive prejudice over the plainest principles of justice. Appeal has been taken to the higher courts.

Washington  
Money is needed to enable that appeal to be carried to a settlement.

D.C.  
The Inter-Racial Committee has made its own subscription to the defense fund and asks all that believe in the supremacy of law over passion to join with it in furthering this fund.

Subscriptions may be sent to Mr. Murray Weiss, authorized representative of the Workers' Defense League, No. 2911 Twenty-eighth Street, Northwest, who will acknowledge receipt.

Charles Edward Russell.  
Chairman, I.R.C.

VIRGINIA

## WE CAN SAVE ODELL WALKER

DEC 21 1940

Odell Walker is a 25-year-old black boy whom a lily-white Virginia jury in Chatham tried and convicted of first-degree murder as a result of shooting Oscar Davis, his white employer, on a tobacco plantation.

Odell Walker will die in the electric chair on December 27 unless the Workers' Defense League, 112 East 19th street, and the National Association for the Advancement of Colored People, 69 Fifth avenue, New York, N.Y., can raise sufficient money to appeal his case.

Oscar Davis robbed Odell Walker of his share of the A.A.A. crop reduction checks, a common practice of white planters in the South.

Walker abandoned the claim and went to Baltimore to work.

Pittsburgh, Pa.  
When Walker returned in July from Baltimore he found that Davis had evicted his wife and 65-year-old mother and was withholding the family's share of the wheat crop they had raised.

Walker went to have it out with Davis, they quarreled and Walker shot when Davis reached for his gun.

Walker fled to Ohio, from which he was extradited and remanded for trial last September 12.

The court disregarded medical testimony that Davis died as a result of the collapse of his left lung after a successful operation to clear up the sources of infection. Consequently the defense says there is no legal basis for a homicide charge.

Odell Walker is a symbol of the vicious system of dictatorship to which Negro farm workers are subjected.

Here is a chance to deal this system a smashing blow. The defense needs a lot of money QUICKLY.

December 27 is not a long way off.



## Search Without Warrant

In some of the states where enforcement of the laws governing the sale of liquor is difficult, there arises an occasional incident in which policemen and judges are disposed to waive the due process clause of the constitution.

A Raleigh, North Carolina, court recently instructed policemen that they were free to search the house of a woman who had been convicted any time within the next two years without a search warrant. The court had just suspended a 60-days sentence imposed upon the woman, but immediately withdrew from her the protection of the fundamental law.

Of course, the woman in the case belongs to the underprivileged class, except for the privileges bestowed upon her and her kind by the illicit liquor barons, who usually remain in the background and enjoy immunity at the hands of the law because their foolish stooges are willing always to "take the rap" for the privilege of dispensing their illegal liquor, always with the feeling that "Captain John" is in league with the law, which is sufficient protection.

That is true until the law and "Captain John" have a misunderstanding due to a sudden shift in personnel or some other violation of the code which governs the relations between legal authorities and bootleggers and racketeers of the high realm, like the gentry who control the "numbers" racket, and who are well known to all the policemen and courts in their respective areas but who enjoy complete immunity for reasons unknown to most people.

Disregarding the Bill of Rights, or the constitution and laws of the state and the United States is a small matter between those who decide who is to violate certain laws and under what circumstances. The Raleigh case is one in point.

## Appeal Death Verdict For Sharecropper

OCT 12 1940

Odell Waller, sharecropper, who shot and killed his white landlord, Oscar Davis, during a quarrel over weeks away, the Workers Defense League, through its national secretary David I. Clendenin, this week announced renewed efforts to reverse the verdict by which a Chatham, Virginia, jury doomed him for the slaying of his white employer, Oscar Davis after white attorneys claimed that Davis fired in self-defense.

The Waller Defense committee, now existing in a number of states, is appealing the case to higher courts. Allen Wills represents the committee in charge. Attorneys Thomas H. Stone of Richmond, Va.; Byron Hopkins of the same city and Richard Tompkins of Washington, D. C. are handling the case.

"The case from the beginning to the end was carried on in the traditional frame-up method employed in the Scottsboro case says the committee.

## Lawyers Renew Fight For Retrial Of Doomed Virginia Sharecropper

NOV 16 1940

RICHMOND, Va.—With the execution of Odell Waller, 23-year-old sharecropper, less than seven weeks away, the Workers Defense League, through its national secretary David I. Clendenin, this week announced renewed efforts to reverse the verdict by which a Chatham, Virginia, jury doomed him for the slaying of his white employer, Oscar Davis after white attorneys claimed that Davis fired in self-defense.

"The appeal will be based," said Clendenin, "on evidence of prejudice in the conduct of the trial and the selection of the jury." He pointed out that the Virginia poll tax system "bars Negroes and poor farmers from jury service as effectively as from the right to vote."

Waller was sentenced to die next December 27th after conviction by an all-white jury consisting of ten landlords, a carpenter and a businessman.

The National Association for the Advancement of Colored People is cooperating with the League in carrying through the Waller fight.

Prejudice, both in the community of Chatham and in the court, it is claimed, made a fair verdict impossible. As evidence of such prejudice, Clendenin cited testimony of defense witnesses who reported "lynch-talk" by white Chatham citizens. Motion by Waller's attorneys for a change of venue was denied despite Sheriff Archer Overby's admission that "extra precautions" were necessary to prevent mob violence.

Defense attorneys also claim evidences of bias on the part of presiding Judge Turner Clement on the basis of insulting remarks directed at J. Byron Fox, Waller's Negro counsel.

The dispute between Waller and his employer which led to the

shooting had its beginnings last summer when Davis refused to pay his tenant for his share of work done on a tobacco crop which had been subsequently plowed under by the Agricultural Adjustment Administration. Davis had evicted Waller's wife and 65-year-old mother and withheld the family's share of wheat which they had raised while Waller was absent.

An argument ensued between Davis and Waller and the latter shot his former employer when the white man "reached" for his pocket.

The League is attempting to raise a Waller Defense Fund. Many prominent persons have become interested in the fight to gain a new trial for the Negro.

## 'Hired' Burglar Shot Fatally In Robbery

NOV 16 1940

Hiring himself out as a burglar proved fatal to John Pugh, 45-year-old Negro early Saturday morning when he was shot to death by Teddy Tsimpides, the son of the owner of a cafe at 1900 Eighth Avenue, North.

Mortally wounded, the Negro told officers he had been promised \$3 by two white men and a split of the spoils if he would commit a burglary for them. Tsimpides reported to investigating officers that he was returning home from a date when he noticed the shadowy figure of a burglar stuffing whisky bottles in a sack at the cafe. Hurrying to his home at 805 North Nineteenth Street, Tsimpides awakened his father, George Tsimpides, and the two of them broke in on the Negro.

The officers reported the Negro was shot twice after he attempted to lunge at the two men. He died about an hour later at Hillman Hospital.

The Negro gained entrance to the cafe through a side door and had loaded 50 pints of whisky and several packages of cigarets into a sack when the two men caught him in the act.

Efforts were being made Saturday to ascertain if the Negro could be connected with several other Northside burglaries which have taken place over a period of weeks.

## Seek Funds To Aid Doomed Sharecropper

NOV 14 1940

To the Editor:

One dollar and fifty cents may not sound like much money. But that's the Virginia poll tax and to thousands of poor people, white and colored, it represents the difference between political slavery and the right to vote and do jury duty.

To a 23-year-old sharecropper named Odell Walker, the poll tax may represent the difference between life and death. Waller is scheduled to die in Chatham Va next December 27 for the murder of his cheating, gun-toting landlord, Oscar Davis. And the lily-white jury which convicted him consisted of an advertising man, a carpenter, and ten landlords.

The Workers Defense League, in cooperation with the National Association for the Advancement of Colored People, is pressing Waller's appeal; but at least \$2000 is needed to carry the case to higher courts. He can be saved from the chair only if \$350 is raised before November 19th.

Waller was not tried for the murder of Davis. He was jailed and condemned to die because he defended himself against the landlords, because he is a colored man and a poor farmer, because he had a colored lawyer and last of all, because one of his friends had a foreign accent.

Against the united front of planter jury, planter press, and planter court, there are only a labor defense agency with limited resources and very little time. But Waller can still be saved by the quick action of his own people and their friends. Contributions to his appeal should be sent to the Workers Defense League, 112 E 19th street, New York City.

SAMUEL H. FRIEMAN

—A Colored Judge—



# To Defense of Sharecropper Doomed to Die

NOV 22 1940

No Witnesses

NEW YORK. — The National Association for the Advancement of Colored People announced today that the organization is co-operating with the Workers Defense League in the defense of Odell Waller, 23-year-old Virginia sharecropper who is scheduled to die in the electric chair December 27.

Waller was condemned to death by an all-white jury in Chatham, Va., last month, when he was found guilty of first-degree murder in the shooting of Oscar Davis, his white employer. David L. Clendenin, national secretary of the Workers Defense league announced this week that the death verdict will be appealed. "The appeal," he said, "will be based on evidence of prejudice in the conduct of the trial and selection of the jury."

## Bars Poor Farmers

Clendenin pointed out that the Virginia poll tax system "bars Negroes and poor farmers from jury service as effectively as from the right to vote." "Members of the jury," he said, "included 10 landlords, a carpenter and a business man."

The dispute between Waller and his employer, which led up to the shooting, had its beginning last summer when the white man refused to pay his tenant for his share of work done on a tobacco crop which had been subsequently plowed under by the Agricultural Adjustment Administration. Waller abandoned the claim early in the summer and went to Baltimore, Md., to work.

He returned from Baltimore in July to find that Davis had evicted his wife and 65-year-old mother, and was withholding the family's share of the wheat crop they had raised. He then decided to visit his employer and demand satisfaction. He later testified that he took along a gun because of Davis' repeated threat.

There were no close witnesses to the interview. Waller reports that Davis replied to his request for the wheat with, "I won't give you a damn thing." When the white man reached into his "gun" pocket, Waller shot him.

After the incident Waller was prepared to surrender when he learned that an armed band of landlords was on his trail. He fled to Columbus, Ohio, from which he was extradited and remanded for trial, last September 12.

Contributions for the Waller Defense fund may be sent to the Workers Defense league, 112 East 19th St., New York, or to the N. A. A. C. P., 69 5th Ave., New York.

## Virginian Slated To Die Dec. 27

### NAACP, Workers Defense League

### To Help Youth

NOV 19 1940

NEW YORK — (SNS) —

The National Association for the Advancement of Colored People announced Monday that the organization is co-operating with the Workers Defense League in the defense of Odell Waller, 23-year-old Virginia sharecropper who is scheduled to die in the electric chair December 27.

Waller was condemned to death by an all-white jury in Chatham, Virginia, last month, when he was found guilty of first-degree murder in the shooting of Oscar Davis, his white employer. David L. Clenden-

in, national secretary of the Workers Defense League announced this week that the death verdict will be appealed. "The appeal," he said, "will be based on evidence of prejudice in the conduct of the trial and selection of the jury."

## NEGROES BARRED

Clendenin pointed out that the Virginia poll tax system "bars Negroes and poor farmers from jury service as effectively as from the right to vote." "Members of the jury," he said, "included ten landlords, a carpenter and a business man."

The dispute between Waller and his employer, which led up to the shooting, had its beginning last summer when the white man refused to pay his tenant for his share of work done on a tobacco crop which had been subsequently plowed under by the Agricultural Adjustment Administration. Waller abandoned the claim early in the summer and went to Baltimore Md., to work.

He returned from Baltimore in July to find that Davis had evicted his wife and 65-year old mother, and was withholding the family's share of the wheat crop they had raised. He then decided to visit his employer and demand satisfaction. He later testified that he took along a gun because of Davis' repeated threats.

## NO CLOSE WITNESSES

There were no close witnesses to the interview. Waller reports that Davis replied to his request for the wheat with, "I won't give you a damn thing." When the white man reached into his "gun" pocket Waller shot him.

After the incident Waller was prepared to surrender when he learned that an armed band of landlords was on his trail. He fled to Columbus, Ohio, from which he was extradited and remanded for trial, last September 12.

Contributions for the Waller Defense Fund may be sent to the Workers Defense League, 112 East 19th Street, N. Y. or to the N. A. A. C. P., 69 Fifth Avenue, N. Y.

# PORTERS JOIN FIGHT TO FREE SHARECROPPER

## Brotherhood Responds to Plea of Mother of Doomed Youth

NEW YORK. — The Brotherhood of Sleeping Car Porters, largest single Negro organization in the United States, last week threw the full force of its 52 locals behind efforts of the Workers Defense league to free Odell Waller, 23-year-old sharecropper who is scheduled to die in a Virginia electric chair on December 27.

The decision to cooperate with the W.D.L. and N.A.A.C.P. attorneys was announced by B. F. McLaurin, field organizer of the Brotherhood, after its executive board meeting had heard a plea from Mrs. Annie Waller, mother of the doomed youth, who is currently engaged in a New York speaking tour. At the same time, Pauli Murray, the league's representative in the Waller case, announced the formation of a Harlem committee to aid in his defense.

## To Work With W.D.L.

The committee, which will work in cooperation with the W.D.L. included: Lionel C. Barrow, president of the Harlem branch of the N. A. A. C. P.; Mrs. Rosalind Putman, activities director of the Harlem Young Women's Christian Association; Edward Welsh, American Labor Party representative; Edith Ransome, business agent of Local 22, International Ladies Garment Workers union; Dr. Candace Stone, chairman of the Educator's committee of National Sharecropper's week; Adeline McBean, secretary of the Harlem Workers Defense League; Layle Lane, vice-president of the American Federation of Teachers, and Mr. McLaurin.

## 'Wide Spread Interest'

In a statement to the committee, Miss Murray reported "wide-spread interest in the first week of Mrs. Waller's visit." The Virginia mother has appeared before the Emanuel A.M.E. church, the Harlem Baptist Ministers conference, a meeting of New York members of the Workers Defense league, and several other local groups.

Last minute legal efforts to save Waller from immediate threat of execution were begun last week when John F. Finerty, his chief counsel, filed an appeal to the Virginia state supreme court. The appeal will be based on evidence that Waller shot his white landlord, Oscar Davis, in self-defense, and on the fact that the jury which convicted him was restricted to those who had paid the state poll tax.

From New York last week, Miss Murray called for even greater moral and financial support for Waller's defense. Contributions, she said, should be sent either to the Workers Defense league national headquarters, at 112 East 19th St., N.Y.C. or to the N.A.A.C.P., 69 Fifth Avenue, N.Y.C.



Norfolk, Va. Pilot  
April 12, 1940

## Negro Physician Facing Narcotic Law Accusation

Dr. Samuel I. Moone, Negrlist. He is scheduled to be electrocuted June 7. His address was listed as 1507 Outten street. Wilmer Davis of Southampton County is awaiting electrocution on a charge of violating the State narcotic drug act. His case was continued until April 18.

Dr. Moone was arrested Wednesday by Sergt. H. F. Frank and Patrolmen C. M. Merritt and J. F. McDaniel after a hearing in Police Court in which two white men and a Negro had been sentenced to six months each on the City Prison Farm for alleged violations of the State drug act. These three men had been charged with obtaining narcotic drugs through fraud and deceit. Prescriptions in the cases had been issued by Dr. Moone, according to testimony in court Wednesday.

Dr. Moone now is charged with issuing narcotic drug prescriptions illegally. He is at liberty under bond, pending the outcome of his case April 18.

## Willie Bradshaw Forfeits His Life

### Two Others Still On Death Row

RICHMOND, Va. — The commonwealth of Virginia exacted the death penalty from Willie Bradshaw Friday morning, April 12, for the murder of Deputy Sheriff Herbert Boone of Halifax County in 1938. He was electrocuted between 7 and 8 o'clock.

The third man to die in the electric chair in the state this year, Bradshaw gave the police a grand chase before he was arrested after the murder. He was tracked down by bloodhounds in the marshes and woods below Petersburg.

Governor Price several times granted reprieves in order to study the case but last week he refused to stay the death sentence. Juries had twice given Bradshaw the death sentence.

When Deputy Sheriff Boelte entered Bradshaw's home to question him on a supposed infraction of the law, the latter shot him.

Bradshaw seemed unmoved by the ordeal of electrocution even on the day of his death. That morn-

ing he ate his breakfast as usual and walked calmly to the death chamber.

Clarence Howard, sentenced at Farmville, Va., on the charge of attacking a white woman in December, 1938, is also on the death row. He is scheduled to be electrocuted June 7.

Richmond, Va., Times-Dispatch  
July 8, 1940

## Shoes for 10,000 Negroes

The Dunn, N. C., Dispatch

A NEGRO was caught in the act of roosting on top of a chicken coop at night as he tried to enter a local store through a transom over the door. He was charged with attempting to rob the establishment and sentenced to a year on the roads.

At the same session of Recorder's Court here another Negro was sentenced to six months on the roads for stealing a pair of shoes.

Without slopping over with sentiment and having a good cry over the possibility that perhaps one of the two defendants was hungry and the other needed a pair of shoes, let's assume they were just two "mean" Negroes.

All right! They were "mean niggers," and got just what they deserved for breaking the laws of the land and going contrary to society. Yet, the first Negro was caught attempting a robbery, and the second got only a pair of shoes.

A public official came up short in his account of funds enough to buy shoes for 10,000 Negroes and feed an average Negro family for five years. What happens? He's bonded, the bonding company pays off for him, and "justice" smiles at the fact that it was a crime against the State.

## County Man

### Held In Murder

Held in the Norfolk County Jail in Portsmouth on a charge of murder, no date for a preliminary hearing from Rountree had been set last Wednesday afternoon, the Journal and Guide was told by county officials.

Rountree was arrested Sunday night after he is alleged to have fatally stabbed J. B. Felton as the tragic climax to an argument at Bell's Mill in lower Norfolk County.

No amount of bond has been fixed but, instead, she kept on out the Williams home by Detectives L. L. Broughton and B. E. Andrews. In allegedly admitting that she poured oil on the victim and then set her afire, the accused woman my mother burning," the griever said she did it because they were daughter went on. "She was beat- going to get me," according to investigating officers.

## "Afraid They'd Get Me" Oil Poured On Sleeping Woman, Then Set Blazing

By JOHN JORDAN

Portsmouth Bureau

Holding to a story of tragic intrigue, Mrs. Annie Johnson, 74 years old, is being held by Portsmouth police on a charge of murder in connection with the torch slaying of her sister-in-law, Mrs. Harriet Williams, 55, of 2507 Chestnut Street.

Police stated this week that the aged woman had allegedly admitted entering the room of the victim and pouring kerosene over her body as she slept, shortly before one o'clock Friday morning.

Mrs. Johnson, police relate, then threw a lighted match onto the oil soaked night clothing of Mrs. Williams, who awakened just in time to see the match flare as it was struck.

### NEIGHBORS ATTRACTED

Neighbors across the street saw the leaping oil flames in Mrs. Williams' bedroom and screamed a warning. Mrs. Essie Jones, daughter of the victim, recounted the tragic episode to a Guide reporter this week.

"I was down stairs in the living room when I heard the folks across the street screaming," Mrs. Jones stated, "I ran to the front door to see what was the matter, and they told me my house was on fire."

"I turned and started up stairs," Mrs. Jones continued, "on my way up the steps Mrs. Johnson brushed by me. I thought she was going for some water to pour on the fire,

### SAW HER BURNING

"At the head of the steps I saw her burning," the griever said she did it because they were daughter went on. "She was beat- going to get me," according to investigating officers. Detectives said the aged defendant's entire body seemed to be on fire. In the excitement that followed I hardly knew what happened. We managed to put out the fire but not until mother was burned awfully."

There was a small child sleeping on a bed in the same room but it was not hurt.

"My son rushed into the smoked filled room and saved my baby," Mrs. Jones said.

"I knew my aunt was bitter and would often fuss, but I didn't know she had murder in her heart," she made. The victim's grandson, Douglas Jones, testified that the for me to believe that she would do such a horrible thing."

Mrs. Williams, who is the mother of six children, was sped to a local hospital by the assistant chief of the Portsmouth fire department. She died several hours later.

### VICTIM'S STATEMENT

At the hospital Mrs. Williams was rushed into the emergency operating room but all efforts to save her life failed. Before she died she told investigating police that she felt someone pouring something over her that smelled like kerosene.

"I saw a flare as if some one was striking a match and the next thing I knew the whole room seemed to be blazing," the dying woman said.

### MEN QUESTIONED

She declared that she could not identify the person who did it. She gave police names of two men who had threatened her recently, but further investigation cleared them.

Mrs. Williams was the wife of the late Henry Williams who was drowned June 22 when he entered the Elizabeth River, fully dressed, at the foot of Mt. Vernon Ave., and waded out until he disappeared beneath the water.

The accused woman was a sister of Mr. Williams and some discontentment and intrigue brought about by the strange and startling death of the man is thought by police to have provided some motive for the torch slaying.

### ELUDES POLICE

The aged woman eluded police for two days but was finally arrested late Saturday in a field near the

Williams home by Detectives L. L. Broughton and B. E. Andrews.

In allegedly admitting that she poured oil on the victim and then set her afire, the accused woman my mother burning," the griever said she did it because they were daughter went on. "She was beat- going to get me," according to investigating officers. Detectives said the aged defendant's entire body seemed to be on fire. In the excitement that followed I hardly knew what happened. We managed to put out the fire but not until mother was burned awfully."

### HEARING HELD

Mrs. Essie Jones testified at the hearing Tuesday, as quoted above, except for comment that she made. The victim's grandson, Douglas Jones, testified that the for me to believe that she would do such a horrible thing."

### SAID LITTLE

The judge asked the defendant if she had anything to say, but she did not have to say anything. She just said, "I didn't fix nothing."

Officers testified that she admitted the crime with the explanation that "I was afraid they would get me that same night."

One officer, C. W. White, asked her how were they planning to get her" and she replied: "They were going to kidnap me."

The woman appeared to be somewhat bewildered. She came in with an old grin on her face, looking around dazedly as testimony was going on. She apparently understood nothing about it.

Richmond, Va., Times-Dispatch  
September 19, 1940

## Any Stealin' Virginia?

Editor of The Times-Dispatch:

Sir,—I was very much interested in the article on your editorial page entitled: "Stealing Negro Property." Florida, I believe, was mentioned as one of the Southern States in which the practice is common.

Is our own State free of such practices? There are rumors that the same thing has happened and is happening in a Virginia county.

A great many of your readers would be interested, I am sure, if you would take up this subject as it applies to our State.

CHESTERFIELD.  
Richmond.



## Doomed Sharecropper Gets Chicagoans' Aid

CHICAGO — A division of the Waller Defense Committee has been organized here to support an appeal from the conviction of Odell Waller, Chatham, Va., sharecropper, sentenced to die for fatally shooting his white landlord.

Waller admits the shooting, allegedly in self defense during an argument over his share of a crop and the eviction of his family. Thomas H. Stone and Bryon Hopkins of Richmond, and Richard Tompkins of Washington are the attorneys handling the appeal.

# Fight on to Save Sharecropper. 23

*Baltimore, Md.*  
**Workers' Defense League  
Asks Funds for Defense  
of Chatham, Va., Youth**

NOV 23 1940

RICHMOND — With the execution of Odell Walker less than 7 weeks away, the Workers' Defense League, through its national secretary, David L. Clendenin, of New York, this week announced renewed efforts to reverse the verdict by which a Chatham, Va., jury doomed the 23-year-old sharecropper for the slaying of his white employer, Oscar Davis.

Defense attorneys contend that Waller fired in self-defense. The appeal will be based, said Clendenin, on evidence of prejudice in the conduct of the trial and selection of the jury. He pointed out that the Virginia poll tax system "bars colored people and poor farmers from jury service as effectively as from the right to vote."

### Death Date Set

Waller was sentenced to die on December 27 after conviction by an all-white Pittsylvania county jury of ten landlords, a carpenter and a businessman.

The N.A.A.C.P. is cooperating with the W.D.L. in carrying through the case.

In announcing the appeal fight Clendenin called for the support "of all those who are opposed to the poll tax and other instances of racial and social discrimination in the South."

The league, according to Clendenin, has been interested in Waller's case since his extradition from Ohio last August. Its Virginia attorney, Thomas H. Stone of Richmond, handled the Waller defense when he was found guilty on October 27.

### Blames Prejudice

Prejudice, both in Chatham and in the court itself, it is contended, made a fair verdict impossible.

As evidence of such prejudice, Clendenin cited testimony of defense witnesses who reported "lynch talk" by white Chatham citizens.

Motion by Waller's attorneys for

a change of venue was denied. Overby's admission that "extra precautions" were necessary to prevent mob violence.

Defense attorneys also cited evidence of bias on the part of presiding Judge Turner Clement or the basis of remarks directed at J. Byron Hopkins, Waller's colored counsel.

### Cites Doctor's Testimony

The Commonwealth physician asserted that Davis died as a result of the collapse of his left lung after a successful operation to clear up the sources of infection.

There was said to be no indication of injury to the left lung. According to such testimony, defense counsel alleged, there was no legal basis for a homicide charge.

Last summer the white man allegedly refused to pay his tenant for his share of work done on a tobacco crop which had been subsequently plowed under by the AAA. Waller abandoned the claim early in the summer and went to Baltimore, Md., to work.

He returned from Baltimore in July to find that Davis had evicted his wife and 65-year-old mother, and was withholding the family's share of the wheat crop they had raised. He then decided to visit his employer and later testified that he took along a gun because of Davis's repeated threats.

### Threat Alleged

There were no close witnesses to the interview. Waller reports that Davis replied to his request for the wheat with, "I won't give you a damn thing." When the white man reached into his "gun" pocket, Waller shot him.

Learning that an armed band of landlords was on his trail, he fled to Columbus, Ohio, and was extradited and remanded for trial on September 12.

Pauli Murray of New York, national executive board member of the W.D.L. and a N.A.A.C.P. youth leader, is in Richmond to aid in pressing the case. Waller is in the State penitentiary here.

In addition to its work for Southern farm tenants, the Workers' Defense League has won

## WE CAN SAVE ODELL WALKER

DEC 21 1940

Odell Walker is a 23-year-old black boy whom a lily-white Virginia jury in Chatham tried and convicted of first-degree murder as a result of shooting Oscar Davis, his white employer, on a tobacco plantation.

Odell Walker will die in the electric chair on December 27 unless the Workers' Defense League, 112 East 19th street, and the National Association for the Advancement of Colored People, 69 Fifth avenue, New York, N.Y., can raise sufficient money to appeal his case.

Oscar Davis robbed Odell Walker of his share of the A.A.A. crop reduction checks, a common practice of white planters in the South.

Walker abandoned the claim and went to Baltimore to work.

When Walker returned in July from Baltimore he found that Davis had evicted his wife and 65-year-old mother and was withholding the family's share of the wheat crop they had raised.

Walker went to have it out with Davis, they quarreled and Walker shot when Davis reached for his gun.

Walker fled to Ohio, from which he was extradited and remanded for trial last September 12.

The court disregarded medical testimony that Davis died as a result of the collapse of his left lung after a successful operation to clear up the sources of infection. Consequently the defense says there is no legal basis for a homicide charge.

Odell Walker is a symbol of the vicious system of dictatorship to which Negro farm workers are subjected.

Here is a chance to deal this system a smashing blow.

The defense needs a lot of money QUICKLY.

December 27 is not a long way off.

Execution, December 27

DEC 16 1940

SIR: Returning to his farm in Pittsylvania County, Virginia, to find his aged mother and young wife evicted and his share of a wheat crop cultivated by them withheld by the white landlord, Odell Walker, twenty-three-year-old Negro sharecropper, went to his landlord to obtain his crop or compensation therefor. The landlord, in refusing, cursed him and made a threatening motion toward his gun pocket, and Walker shot him in imminent fear for his own life. Despite this evidence, he was convicted by a jury—twelve whites, including ten planters, who could afford to pay the \$1.50 Virginia poll tax—and was sentenced to die December 27.

He deserves a fair trial by a jury of his peers, and to the end of achieving that the National Association for the Advancement of Colored People, in cooperation with the Workers' Defense League, is soliciting contributions from its members and the interested public for a defense fund.

New York City

WALTER WHITE, Secretary



## Gunning for a Diploma

So far as we know, President John W. Davis of West Virginia State College has not been shot full of holes.

Reason: Last week one Miss Florence Beverly Howell, was sentenced to serve two years at Alderson Women's Prison for sending him a letter through the mails threatening to shoot him and all the teachers connected with the refusal of the college to grant her a diploma in the summer of 1937.

In a statement exclusively to the AFRO, Miss Howell says she threatened President Davis only because he declined to give her an interview.

While we are greatly sympathetic with Miss Howell's point of view, on the other hand, the picture of a student, with gun in hand, robbing a college of a diploma isn't at all reassuring.

With the time and money she's spending in Federal prison and in defending herself, this dear lady could earn her diploma in the regular way and save considerable wear and tear on her peace of mind in addition.

## Lie Detector Used in W. Va. Assault Case

### Colored Men Plead Guilty to Attack On Restaurateur

Martinsburg, W. Va., Aug. 18.—The use of a lie detector for the first time in Berkeley County was credited by officers here yesterday with bringing confessions of guilt from William Cook and Charles Weaver, local colored men charged with felonious assault with deadly weapons upon Chris Kostromanis, restaurant proprietor, on the night of June 11.

The detector was sent here by Sergt. C. G. Cook, ballistics expert of the West Virginia State Police, Charleston, who conducted the tests in the office of Prosecuting Attorney C. G. Gain.

Both Cook and Weaver submitted to tests, the results of which were not announced.

They were arraigned before Justice of the Peace J. D. Smith and entered guilty pleas. They were ordered held for action of the Berkeley County grand jury and remanded to jail.

Cook and Weaver were arrested August 3 in Washington by District of Columbia police who cooperated with the Martinsburg city police. City Officer F. R. Dawson, Deputy Sheriff Ray Severs and Constable C. W. Kettering went to Washington to take the two men into custody.

The pair had been under suspicion for some weeks, having disappeared several days after the attack upon Kostromanis near his home here. Information was obtained which led officers to believe they were in Washington and the District of Columbia detective division set to work upon the case.

## DANCING WIFE IS KILLED BY MATE

### Pedro Thomas Shoots 23-Year-Old Partner to Death on W. Va. Street.

(Special to The Courier)  
By Staff Correspondent

KEYSTONE, W. Va., Aug. 15.—A romance of the footlights was shattered by the staccato blast of a revolver on the main street of this thriving little West Virginia town here Thursday afternoon and when the smoke of the blazing gun had blown away, 23-year-old Dolores Thomas of Chicago, member of the nationally famous dance team of Pedro and Dolores, lie dead, while police were holding her 27-year-old husband-partner, charged with firing the fatal shots.

The couple, who had achieved a national reputation as ballroom and night club artists, had been the feature attraction with the Si-las Green Tent Show, now playing throughout the section.

According to "inside information," the couple had been estranged for some time. Pedro Thomas, the husband, it is claimed, had accused his wife of "not playing the game."

Thursday afternoon Mrs. Thomas accompanied by S. H. Dudley, Jr., well known producer, were walking down the street after having attended a movie.

When they met her husband, it is alleged that Mrs. Thomas passed him without speaking. Witnesses allege that Pedro turned around and said:

"Dolores, do you know that you passed me without speaking? Just what do you mean by that!"

Before the comely young woman could reply, the enraged husband pulled a revolver from his pocket and started firing. The bullets took effect immediately, and Mrs. Thom-

as died before aid could be rendered.

After the woman had been shot, the husband calmly awaited the arrival of police officers. At the coroner's inquest Monday, Thomas was held for murder. Represented by Attorneys Capehart and Miller, the prisoner, lodged in the Welch County jail, claimed he didn't know the safety catch was off at the time he pulled the trigger.

### W.VA. WHITE MAN GETS TEN YEARS FOR URGING COLORED PRESIDENT

WHEELING, W. Va. (CNA) — Oscar O. Wheeler, white, West Virginia Communist candidate for governor, was given ten years in the penitentiary because he told petitioners that his party sought to place a colored man in the White House. James Ford, Communist candidate for vice-president, declared in a broadcast here last week.